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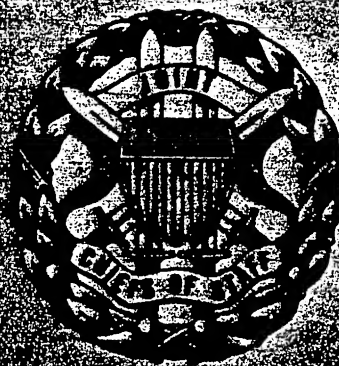
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THE HISTORY OF THE JOINT CHIEFS OF STAFF

THE JOINT CHIEFS OF STAFF
AND THE WAR IN VIETNAM
1971 - 1973

PART II

By
WILLARD J. WEBB



HISTORICAL DIVISION
JOINT SECRETARIAT
JOINT CHIEFS OF STAFF

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This volume is the final one in a series comprising the official history of the actions and activities of the Joint Chiefs of Staff relating to the war in Vietnam. It has been prepared by historians in the Historical Division of the Joint Secretariat in accordance with professional standards of historiography. Since the content of the volume has not been considered by the Joint Chiefs of Staff, it is to be construed as descriptive only and not as constituting the official position of the Joint Chiefs of Staff on any subject.

Harold D. Neeley
HAROLD D. NEELEY
Colonel, USAF
Secretary, JCS

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CHAPTER 8

FORCE WITHDRAWALS, 1972

The January Announcement

(U) Despite, first, evidence of enemy preparations for a major attack as 1972 began and, then, the actual offensive in April, the United States pressed ahead with redeployment of troops from Vietnam. The approaching Presidential campaign, which could be counted upon to heighten the already strong political pressure for disengagement in Vietnam, made it highly unlikely that President Nixon would attempt to slow the momentum of the US withdrawal. He had approved the removal of 45,000 additional US troops, Increment 10 (KEYSTONE MALLARD), during the period December 1971 through January 1972 and this withdrawal was completed on schedule. On 1 February 1972, actual US strength stood at 136,505, well below the authorized level of 139,000 specified by the President.¹

(C) For the field commanders, the accelerating US redeployments during 1971 had posed severe problems, so much so that at the end of the year the Joint Chiefs of Staff raised this matter with the Secretary of Defense. Both CINCPAC and COMUSMACV, they told Mr. Laird, had expressed concern over the difficulties in personnel turbulence, logistics, base closures, and force structure encountered in the ten withdrawal increments approved to date and had requested adequate warning before the next announcement if similar problems were to be avoided. The impact of the problems

1. For approval and execution of this redeployment increment, see Chapter 3, pp. 159-161.

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became even more serious, the Joint Chiefs of Staff said, as US force levels declined, affecting the security, operational readiness, morale, and welfare of remaining forces in South Vietnam. For the next announcement, COMUSMACV and CINCPAC favored one increment covering the period 1 February to 1 July 1972 and lowering authorized strength from 139,000 to 60,000. Should the decision be for an increment of shorter duration, the commanders suggested removal of 55,000 US troops in the months February through April 1972, to a level of 84,000. The Joint Chiefs of Staff supported these recommendations and requested the Secretary to bring the impact of "short redeployment announcement and execution cycles" to the President's attention.²

(TS) Mr. Laird agreed that proper management of US forces was essential as the redeployment continued, but he gave no indication of any pause in the US withdrawals. Rather, he asked the Joint Chiefs of Staff on 6 January 1972 for illustrative force structures assuming a 60,000-man US force in Vietnam on 15 May 1972, 30,000 by 1 July 1972, and 15,000 by 1 November 1972. He wanted assessments of the capabilities of each of the structures as well.³

(TS) Meantime, a Washington inter-agency task force chaired by a representative of the Joint Chiefs of Staff was preparing an updated Vietnam assessment⁴ for the NSC Vietnam Special Studies Group that included an analysis of enemy and friendly strengths in South Vietnam. In the completed appraisal, which the Chairman

2. (TS-GP 4) JCSM-577-71 to SecDef, 30 Dec 71, Encl to JCS 2472/786-3, 28 Dec 71, JMF 911/374 (15 Nov 71).

3. (TS-GP 1) Memo, SecDef to CJCS, 6 Jan 72, Att to JCS 2472/786-4, 6 Jan 72, JMF 911/374 (15 Nov 71).

4. For detailed coverage of this assessment, see Chapter 2, pp. 122-125.

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of the Joint Chiefs of Staff gave to the Secretary of Defense on 10 January 1972 for transmittal to the Special Studies Group, the task group estimated enemy forces at 217 combat battalions at the beginning of December 1971 as compared with 233 friendly battalions (US, RVNAF, and ROK). On the basis of the projected enemy threat, and assuming a US force level of 60,000 by 30 June 1972 (a planning figure established earlier by the Secretary of Defense), the task group concluded that friendly troops remaining in South Vietnam by mid-1972 could meet the anticipated threat without major redistribution of forces by using the RVNAF reserve. After 1 July 1972, and with the US strength of 60,000 men, the threat could be met but only with increased risk. The task group cautioned, however, that this evaluation did not carry over into 1973 when US strength would be lower and when the enemy would have benefited from another dry season to infiltrate more men and supplies.⁵

(U) The Senior Review Group did subsequently consider the updated assessment, but the President did not await this action to make his decision on further redeployments. On 13 January 1972, he announced that 70,000 additional US troops would leave South Vietnam during the next three months, reaching a troop ceiling of 69,000 by 1 May 1972. This withdrawal, he said, had the approval of the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Government of Vietnam. (In fact, however, it amounted to 15,000 more men than the redeployment proposed by the Joint Chiefs of Staff and the field commanders for the same period.)

5. (TS-GP 3) "Updated RVN Assessment," 10 Jan 72, pp. 18-20, Encl to JCS 2472/790-1, 19 Jan 72, JMF 911 (16 Dec 71).

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The President also promised another announcement on further withdrawals before 1 May 1972.⁶

(S) Following the President's announcement, Secretary Laird held a press conference at the White House. For a troop ceiling of 69,000, he explained, there would be about 48,000 Army, 4,500 Navy, and 16,000 Air Force troops remaining in South Vietnam on 1 May 1972; monthly withdrawal rates would average about 23,000 men in the succeeding three months. That same day, 13 January, Mr. Laird authorized the Joint Chiefs of Staff to redeploy US troops from South Vietnam in accordance with the President's announcement. A few days later, on 19 January, he informed Admiral Moorer of his personal concern for the safety of the remaining US forces. "If ever there is a time," he said, "during which we must insure that each soldier and his commander are fully alert for unexpected weaknesses in our defense, both day and night, it is during these remaining months of the Vietnamization program."⁷

Planning a Transitional Force

(TS) On 19 January, the Joint Chiefs of Staff furnished the Secretary of Defense COMUSMACV's outline plan to attain the 69,000 US troop level by 1 May 1972 together with the field commander's assessments of the lower transitional forces of 60,000, 30,000, and 15,000 to be reached by 15 May, 1 July, and 1 November 1972. The plan for the 69,000 force

6. Public Papers of the Presidents of the United States: Richard Nixon, 1972 (1974), p. 30.

7. Weekly Compilation of Presidential Documents, 17 Jan 72, p. 50. (TS-GP 1) Memo, SecDef to CJCS, 13 Jan 72, Att to JCS 2472/786-5, 14 Jan 72, JMF 911/374 (15 Nov 71). (S-GP 3) Memo, SecDef to CJCS, 19 Jan 72, Att to JCS 2472/795, 20 Jan 72, JMF 911/374 (19 Jan 72).

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contained 10,000 rollup spaces and retained "a modest force" for security of US personnel, an area the Joint Chiefs of Staff considered of "paramount importance." To carry out the plan by 1 May, the Joint Chiefs of Staff said, would present a number of problems. They believed that there would be a degradation in intelligence collection and in helicopter support for the RVNAF. Moreover, there would be no room for significant tradeoffs of manpower spaces without jeopardy to security of US forces. Other impacts of reducing to the 69,000 level included: port and processing backlogs might be caused by the equipment accompanying the redeploying troops; the Military Equipment Delivery Team in Cambodia could not be supported by COMUSMACV after 1 March 1972 and the capability to train Cambodian forces might be reduced; Cam Ranh Bay Air Base might have to be closed earlier than currently scheduled; the Joint Personnel Recovery Task Force would have to be relocated in Thailand; and reduction of US helicopter and logistic support to the ROK troops in South Vietnam would require renegotiation of the US-ROK military working arrangement.

(TS) With respect to the 60,000, 30,000 and 15,000 transitional force levels, the Joint Chiefs of Staff found all three lacking in adequate security for remaining US personnel. Once the problems associated with the 69,000 force had been resolved, then the commanders would reexamine the lower transition levels. In the meantime, the Joint Chiefs of Staff believed the following actions should be approved immediately: (1) give security of US forces primary consideration while recognizing that increasing reliance must be placed on the RVNAF as US drawdowns continued; (2) confirm authority to increase US manpower ceilings in

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Thailand to accommodate necessary relocations from South Vietnam; (3) reduce the requirement for helicopter support for the RVNAF commensurate with capability of remaining US forces; (4) grant authority to renegotiate the military working agreement under which the United States provided helicopter and logistic support to the ROK forces in Vietnam.⁸

(C) Secretary Laird appreciated the magnitude of the problems raised by the Joint Chiefs of Staff, he told them on 24 February 1972. He fully realized that COMUSMACV must in the coming months not only insure the success of Vietnamization, but also redeploy one half of his force, provide timely intelligence, retrograde large quantities of materiel, and accelerate the transfer of bases and facilities. Mr. Laird had full confidence that the US commanders would continue their "admirable performance" in these tasks despite the "difficult problems" involved.

(C) The Secretary wanted the security of US forces in South Vietnam preserved and he believed this could be accomplished by increased alertness, consolidation of activities at more secure installations, and close coordination with the RVNAF. He relaxed the requirement for helicopter support for the RVNAF as requested by the Joint Chiefs of Staff and directed COMUSMACV to plan for a "transitional remaining force" of 30,000 by 1 July 1972 and "a more stable force" of 15,000 by 1 November 1972. These figures, he stressed, were for planning purposes only and other contingencies should be considered. He also requested further JCS views on

8. (TS-GP 3) JCSM-24-72 to SecDef, 19 Jan 72, Encl to JCS 2472/786-6, 19 Jan 72, JMF 911/374 (15 Nov 71).

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the issues of support for ROK forces, requirements for a US rollup force, the minimum US intelligence capability required in Vietnam after 1 July 1972, and US manpower space requirements in Thailand. He wanted, as well, information on measures being taken to support the Cambodian armed forces.⁹

(TS) The Joint Chiefs of Staff gave Secretary Laird on 6 March their views on some of the issues identified by him. Support of the ROK forces would begin to decrease when the US force level fell below 30,000, they said, and none could be provided when US strength reached 15,000 men. They recommended early decisions on the question of retention of the ROK forces in South Vietnam, the size of these forces, and the level and duration of US support.¹⁰ In addition, they requested authority for COMUSMACV to negotiate a new logistic support arrangement with the ROK forces in Vietnam and the GVN.

(TS) With respect to the rollup force, further study of COMUSMACV's troop reduction plan showed that a force of 9,117, rather than the 10,000 originally planned would suffice.. This new level, the Joint Chiefs of Staff believed, would allow COMUSMACV to process the retrograde generated by the continuing redeployments. Adjustments were required, they continued, in the US manpower ceiling in Thailand to compensate for the force reductions in South Vietnam and to carry on programmed military activity, including the 4,800 monthly tactical air sortie level. Accordingly, the Joint Chiefs of Staff recommended that the

9. (S-GP 4) Memo, SecDef to CJCS, 24 Feb 72, Att to JCS 2472/773-5, 25 Feb 72, JMF 911 (6 Aug 71) sec 2.

10. For further consideration of the ROK force issue, see pp. 470-474.

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ceiling in Thailand be raised to 33,250 spaces, an increase of 1,050.¹¹ Finally they considered that the Cambodian logistics and training support were progressing at a satisfactory rate and should not be impaired by the current redeployments.¹²

(C) Nearly two weeks later, on 18 March 1972, the Joint Chiefs of Staff furnished the Secretary of Defense views on the US intelligence capability required in South Vietnam after 1 July 1972. The redeployment of US forces to the projected strength of 30,000 by 1 July 1972, they pointed out, would bring no equivalent reduction in intelligence requirements. They set out the minimum intelligence requirements for the period after 1 July 1972 and listed the intelligence capabilities that would be lost as US forces shrank. They concluded that a minimum of 5,035 intelligence spaces would be needed in the 30,000 structure and 4,193 in the 15,000 one.¹³

(C) Thus far in the consideration of transitional US force structures in Vietnam, the Joint Chiefs of Staff had planned on the retention of a small residual US force, but now the possibility of total US withdrawal was raised. On 25 January 1972, President

11. The Secretary of Defense disapproved an increase in the US force level in Thailand, though this decision did not preclude movement of USAF units from Vietnam to Thailand within the authorized ceiling, and he told Admiral Moorer on 31 March 1972 that he wanted the Air Force to continue planning for 4,800 tactical air sorties per month during FY 1973. (TS-GP 4) Memo, SecDef to CJCS, 31 Mar 72, Att to JCS 2472/773-11, 3 Apr 72, JMF 911 (6 Aug 71) sec 2.

12. (TS-GP 3) JCSM-98-72 to SecDef, 6 Mar 72, Encl to JCS 2472/773-6, 2 Mar 72, JMF 911 (6 Aug 71) sec 2.

13. (TS-GP 4) JCSM-112-72 to SecDef, 18 Mar 72, Encl to JCS 2472/773-8, 11 Mar 72, JMF 911 (6 Aug 71) sec 2.

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Nixon had presented a new peace plan including an offer for complete US military withdrawal within six months of an agreement.¹⁴ Thereafter, on 8 March, the Secretary of Defense asked the Joint Chiefs of Staff to examine ways for the United States to insure the self-sufficiency of the RVNAF in the event of a total removal of US troops from Vietnam. He wanted four options studied: (1) conversion of the US advisory effort to civilian contract supported by US resources; (2) direct US budgetary assistance to the GVN for contractual support in place of US advisers; (3) contracting for in-country assistance and agreements with other Asian countries for either in-country or offshore "backup rebuild facility" with the United States providing financial support for both of these "contractual ventures"; (4) the same as 3 except that the United States would supply support only for the in-country contract effort.¹⁵

(C) The Joint Chiefs of Staff replied to the Secretary on 3 April. While the attainment of total US withdrawal was a valid goal, they believed this objective should continue to be tied to the progress of Vietnamization. It was "premature," they said, to assume that Vietnamization would be a complete success. The RVNAF would need "quality US advisory assistance and support" for some time to come in the areas of logistics, intelligence, communications, and training. The Joint Chiefs of Staff did not think any of the options suggested by the Secretary was likely to succeed "if implemented in the near term." Recognizing, however, the need for contingency planning

14. See Chapter 11, pp. 604-605

15. (TS-GP 4) Memo, SecDef to CJCS, 8 Mar 72, Att to JCS 2472/773-7, 9 Mar 72, JMF 911 (6 Aug 71) sec 2.

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for total US military withdrawal from South Vietnam on short notice, they preferred the Secretary's first option for conversion of the US advisory effort to civilian contract. This approach, they thought, could be implemented more rapidly than the other three but would require adequate leadtime for implementation. In addition, the first option provided the "highest degree of US control" over the contracts for the United States would provide the funding. The Joint Chiefs of Staff promised the Secretary a conceptual plan based on this option and asked that no further consideration be given the remaining options.¹⁶

Redeployment Increment 11, February-April 1972

(C) While the Joint Chiefs of Staff and the Secretary of Defense were considering transitional force levels for the latter part of the year, the redeployment of the 70,000 US forces during the period February through April 1972 proceeded in accord with the President's January announcement. The field commanders had prepared the necessary troop list for Increment 11 (KEYSTONE OWL) and the Joint Chiefs of Staff approved and submitted it to the Secretary of Defense on 17 February 1972. Included were 55,235 Army spaces, comprising one airborne division headquarters, a brigade headquarters, five infantry battalions, two armored cavalry squadrons, four air cavalry squadrons and three separate air cavalry troops, three field artillery battalions, and associated support elements. Navy spaces totaled 3,994, including two light helicopter attack squadrons, naval support personnel at

16. (TS-GP 4) JCSM-142-72 to SecDef, 3 Apr 72, Encl A to JCS 2472/773-10, 29 Mar 72, JMF 911 (6 Aug 71) sec 2

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Binh Thuy and Cam Ranh Bay, and reductions in the naval support activity at Saigon and in the Naval Advisory Group. The Air Force would withdraw three special operations squadrons, two C-7 tactical airlift squadrons, a C-130 tactical airlift detachment, an air rescue and recovery squadron, and personnel from two tactical air support squadrons for a total of 10,590 spaces, while the Marine Corps would remove 181 advisory headquarters and support spaces. Thereafter KEYSTONE OWL moved ahead in accordance with the approved list.¹⁷

(C) The enemy offensive, breaking at the end of March, caused considerable disruption in the Increment 11 redeployment. The United States continued the withdrawals and did reach the 69,000-man level by the end of April, but some spaces scheduled for redeployment in April 1972 were retained and approximately 1,600 additional or "augmentation" forces were deployed to South Vietnam. These retention and augmentation forces consisted primarily of combat and combat support elements and the preponderance were air forces. The US Air Force retained troops associated with the 620th TSC, 8th Special Operations Squadron, 21st Tactical Air Support Squadron, 374 Tactical Airlift Wing, and 7th Air Force Headquarters and redeployed a tactical fighter squadron from South Korea and a KC-119K Gunship FOL¹⁸ from Thailand. In addition, the C-130 Rotational Squadron at Tan Son Nhut was reinforced

17. (TS-GP 4) MJCS-57-72 to SecDef, 17 Feb 72, Att to JCS 2472/786-8, 22 Feb 72, JMF 911/374 (15 Nov 71). (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (C) p. F-56.

18. FOL - Forward Observation Laser.

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and an F-4 servicing site was established in MR 3. The Army retained two air cavalry troops, an aerial weapons company, a helicopter assault company, an aviation detachment, and various aviation maintenance spaces and redeployed an aerial delivery detachment from Okinawa to assist the RVNAF. The US Marine Corps redeployed three fighter squadrons, two from Japan and one from Hawaii, and augmented certain other units. In all, 4,110 spaces were involved, including 2,525 retention and 1,585 augmentation spaces broken down as follows:

	<u>Augmentation</u>	<u>Retention</u>	<u>Total</u>
Army	77	1,114	1,191
Navy	6	0	6
Air Force	428	1,411	1,839
Marine Corps	<u>1,074</u>	<u>0</u>	<u>1,074</u>
	1,585	2,525	4,110

(C) The Services and COMUSMACV had to make appropriate reductions elsewhere in the Vietnam force to compensate for the forces retained and deployed in order to insure a US force level of 69,000 by the end of April. Necessary reductions were made principally in logistics and rollup spaces and adjusted ceilings for Increment 11 redeployment were:

<u>Service</u>	<u>Old Ceiling</u>	<u>New Ceiling</u>	<u>Difference</u>
Army	49,278	46,417	-2,861
Navy	3,067	3,029	- 38
Air Force	16,308	18,133	+1,825
Marine Corps	<u>347</u>	<u>1,421</u>	<u>+1,074</u>
Total	69,000	69,000	

Despite the enemy offensive and the associated retentions and augmentations, the United States did reduce its strength by 70,000 men in the months February through April 1972, reaching a level of 68,100 men on 30 April. Included in this increment as ultimately

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accomplished were 11 Army maneuver battalions, 3 field artillery battalions, and 4 Air Force tactical airlift squadrons. The US Navy withdrew the last of its combat troops in this period and the remaining 5,000 land-based US Navy personnel were either advisers or headquarters staff.¹⁹

The April Announcement

(U) In the January withdrawal announcement, President Nixon had promised a decision on further redeployments before the beginning of May and he was not dissuaded from this course by the intervening enemy offensive. Accordingly, planning proceeded for the succeeding redeployment increment.

(C) In anticipation of a forthcoming Presidential announcement, General Abrams set his staff to planning the continuing redeployment of US forces from South Vietnam to "the eventual attainment" of a US assistance group. He forwarded an advance summary of the resulting OPLAN J203 to CINCPAC and Admiral Moorer on 15 March 1972. Using the 69,000 US force level for 1 May 1972 as a point of departure, COMUSMACV had prepared notional packages for a 30,000 force on 1 July 1972 and a 15,000 one for 1 November 1972. Since he found these figures arbitrary, precluding retention of various desirable capabilities, he had developed alternative packages of 37,000 and 23,000 spaces to be achieved by the same dates. General Abrams considered a 15,000 US troop level the minimum appropriate for the US assistance group; further, he thought that such a group should not be established before 1 July 1973 to allow a smooth transition from the 1 May 1972 force level.

19. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (C) pp. F-56 - F-57; (U) p. N-3.

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(C) General Abrams considered it essential to keep command and control of air forces in South Vietnam so long as the United States participated in the air war. After careful study, he believed a US force of 23,000 the lowest possible level to assure command and control of the air war as well as minimum support for the ROK forces and essential assistance to South Vietnam. To attain a 23,000 level by 1 November would require withdrawal of 46,000 troops in the period May through October 1972, and General Abrams asked for authority to determine the pace of the redeployments and the composition of the remaining force within that overall figure. Should "overriding considerations at the national level" dictate a redeployment package to be completed by 1 July, the field commander preferred a 37,000-man structure.²⁰

(C) CINPAC found his subordinate's planning "excellent" and recommended its adoption to the Joint Chiefs of Staff as the "best course to follow subsequent to 1 May 1972." The Joint Chiefs of Staff agreed and passed on the field commanders' recommendations to the Secretary of Defense on 24 March.²¹

(C) On 1 April 1972, the Secretary of Defense directed review of the entire Vietnamization effort, including a report on the US force posture in Southeast Asia. This review is discussed in Chapter 9, but on

20. (TS-GP 4) Msg, COMUSMACV to CINCPAC (info CJCS), 150255Z Mar 72, JCS IN 81704, JMF 911 (6 Aug 71) sec 2.

21. (TS-GP 4) Msg, CINCPAC to JCS, 162121Z Mar 72, JCS IN 85516; (TS-GP 3) JCSM-130-72 to SecDef, 24 Mar 72, Encl to JCS 2472/773-9, 22 Mar 72; JMF 911 (6 Aug 71) sec 2.

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5 April 1972, the Joint Chiefs of Staff responded on the specific matter of the US force structure. At that time, they reaffirmed their recommendations of a week and a half earlier for a US troop level of 23,000 spaces on 1 November 1972 or one of 37,000 spaces on 1 July 1972 if a definite ceiling was required by the earlier date.²²

(TS) Meantime, North Vietnam had launched its offensive into the south, and the Secretary of Defense on 15 April asked for General Abrams' latest views on future US redeployments. Admiral Moorer relayed these views as well as those of CINCPAC to the Secretary on 19 April. General Abrams expected the current level of enemy activity to continue for several months and both he and CINCPAC recommended deferral of any decision on redeployments beyond the 1 May level of 69,000 until 1 July or later. In addition, the two commanders believed their earlier recommendation for a 37,000-man force for 1 July, if a ceiling was required for that date, was now "unrealistic" and urged retention of the maximum number of US troops in South Vietnam until 1 July 1972.

(TS) At this time, Admiral Moorer pointed out to the Secretary that recent US force augmentations and retentions to meet the enemy invasion had necessitated substituting over 4,000 combat and combat support spaces in the existing US structure in place of essential logistics and rollup spaces. Consequently, the resulting force structure of 69,000 on 1 May would be

22. (TS-GP 4) Memo, SecDef to CJCS, 1 Apr 72, Att to JCS 2472/810, 1 Apr 72; (TS-GP 4) JCSM-149-72 to SecDef, 5 Apr 72, Encl to JCS 2472/810-2, 4 Apr 72; JMF 907/301 (1 Apr 72).

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unbalanced and Admiral Moorer was uncertain how long the augmentation forces could be sustained within the 69,000 level.²³

(U) Once again President Nixon chose to disregard the advice of his military advisers on the issue of redeployments. In a televised address on the evening of 26 April, he reported to the nation that the South Vietnamese were "fighting courageously" and "inflicting very heavy casualties on the invading force." Moreover, General Abrams had predicted that the South Vietnamese, with continued US air and sea support, would stop the North Vietnamese offensive. On the basis of this assessment, and in consultation with President Thieu, Ambassador Bunker, and "my senior advisers in Washington," President Nixon had decided Vietnamization was progressing well enough to continue the withdrawal of US forces. In the next two months, he announced, 20,000 more US troops would depart South Vietnam, lowering the US military ceiling there to 49,000 on 1 July 1972. The President went on to announce a new negotiating effort to end the war and renewed US air and naval attack on North Vietnam, matters treated in Chapters 11 and 7, respectively.²⁴

Redeployment Increment 12, May-June 1972

(TS) Thereafter, the Secretary of Defense directed the withdrawal of 20,000 US troops from South Vietnam during the period May through June 1972, and this, redeployment, Increment 12 (KEYSTONE PHEASANT),

23. (TS) CM-1768-72 to SecDef, 19 Apr 72, CJCS File 091 Vietnam Force Planning.

24. Public Papers, Nixon, 1972, pp. 551-552.

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proceeded. The field commanders readied the necessary plans and the Joint Chiefs of Staff submitted an approved troop list to the Secretary of Defense on 19 May 1972. The 20,000 spaces comprised: 12,084 US Army forces, including one infantry brigade less one battalion, one aerial weapons company, and two air cavalry troops; 537 US Navy advisers and support personnel; 6,297 Air Force troops consisting of four tactical fighter squadrons, a reconnaissance technical squadron, reductions in a tactical airlift squadron, a tactical electronics warfare squadron, and a tactical air support squadron; and 1,082 US Marine Corps augmentation forces. In order to meet the 49,000 ceiling, COMUSMACV had to move out tactical air forces still required in ongoing operations. Consequently, all but one of the redeploying tactical squadrons moved to Nam Phong and Takhli Air Bases in Thailand.²⁵

(C) In June COMUSMACV reviewed and modified the 49,000 US force structure to retain certain assets that contributed most directly to destroying the enemy, assisting the RVNAF, and accommodating the stepped up US materiel assistance to South Vietnam (Project ENHANCE).²⁶ As a result, General Abrams retained 3,004 spaces previously identified for withdrawal, trading off a like number of other spaces, principally security forces. The final US force levels of Increment 12 were as follows:

25. Memo, SecDef to CJCS, 4 May 72, Att to JCS 2472/814, 5 May 72; (S-GP 4) MJCS-169-72 to SecDef, 19 May 72, Att to JCS 2472/814-1, 24 May 72; JMF 911/374 (4 May 72). (TS-GP 1) CM-1796-72 to SecDef, 1 May 72, CJCS Chron CM File. (S-NOFORN) COMUSMACTHAI Command History, 1972, (C) pp. 12-13, 18.

26. See Chapter 9, pp. 489-494.

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Army	9,616
Navy	548
Air Force	7,710
Marine Corps	2,126
Total	20,000

The redeployment moved forward and US strength in South Vietnam on 30 June 1970 stood at 48,000.²⁷

Command Reorganization and Consolidation

(C) By the spring of 1972, the continuing drawdown of US forces called for some adjustment in US command organization in South Vietnam. COMUSMACV OPLAN J203,²⁸ prepared in February and March 1972, for the transition to a US military group in Vietnam included various organizational changes and consolidations in the MACV structure as well. Salient among these were retention of command and control of the air war in South Vietnam; the merger of the MACV and 7th Air Force Headquarters with the Commander, 7th Air Force becoming Deputy COMUSMACV; and the establishment of an Army advisory group using the assets of the present MACV Training Directorate.²⁹

(TS) Admiral McCain supported the COMUSMACV plan, and the Joint Chiefs of Staff presented it to the Secretary of Defense on 4 April. The plan would, they told the Secretary, reduce manpower requirements for headquarters elements, continue COMUSMACV's capability to accomplish assigned missions, and provide for the

27. (TS) CM-1936-72 to SecDef, 14 Jun 72, CJCS Chron CM File. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (C) pp. F-57 - F-58.

28. See above, pp. 454-455.

29. (TS-GP 4) Msg, COMUSMACV to CINCPAC, 120725Z Feb 72, JCS IN 26695, JMF 045 (12 Feb 72).

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orderly transition from a combat command to an assistance advisory group at a later date. The changes would not, however, alter COMUSMACV's status as a subordinate unified commander under the operational command of CINCPAC.³⁰

(TS) Secretary Laird asked several questions about the proposed organizational revisions. What changes were envisioned in the MACV mission? What would be the general and flag officer structure in the revised organization? And what about the possible need for single management of all aspects (civilian and military) of pacification and rural development? The Joint Chiefs of Staff responded on 22 April that no revision in the current COMUSMACV mission would be required until US strength in Vietnam fell below 23,000 men. The general and flag officer requirements, they said, must await later determination in light of the specific mission given the final advisory group and of the changing military situation. Further, they assured Mr. Laird that current planning called for a single management MACV/CORDS-type organization as long as needed. Before acting on the COMUSMACV reorganization plan, Secretary Laird put forth a possible alternative, namely, that COMUSMACV be replaced by (or transformed into) what he called a "Supreme Command" for all of Southeast Asia, independent of CINCPAC. The Joint Chiefs of Staff objected that such a change would require a large expansion of staff machinery in Southeast Asia and would mean that command of forces required for the war would be split between CINCPAC and the new command. They recommended proceeding with the

30. (S-GP 4) Msg, CINCPAC to JCS, 180356Z Mar 72, JCS IN 88557; (TS-GP 3) JCSM-137-72 to SecDef, 4 Apr 72, Encl B to JCS 2472/808, 27 Mar 72; JMF 045 (12 Feb 72).

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scheduled reorganization and phase-down of MACV. The Secretary did not press his proposal, and nothing more came of it.³¹

(C) Mr. Laird discussed the MACV reorganization with the Joint Chiefs of Staff on 15 May 1972. He did not oppose the merger of the MACV and 7th Air Force Headquarters, but suggested assigning the ARVN advisory mission to the US Army, Vietnam (USARV) with the transfer of advisers from MACV to USARV in lieu of creating an Army advisory group. General Abrams objected to this proposal, believing that the advisory function was best kept separate from the mission of USARV, which was to provide support for the ARVN. The Joint Chiefs of Staff supported the field commander and the Secretary of Defense acceded to their wishes. He did not formally approve the organizational changes for Vietnam at that time, however, and not until 31 August 1972, did Mr. Laird confirm approval for designation of the Commander, 7th Air Force as Deputy COMUSMACV, establishment of an Army Advisory Group using the resources of the Training Directorate of MACV, and maintenance of CORDS activities at the current level.³²

(C) Meantime, COMUSMACV had proceeded with the implementation of the changes in accord with the

31. (TS-GP 3) Memo, SecDef to CJCS, 12 Apr 72, Att to JCS 2472/808-1, 12 Apr 72; (TS-GP 4) JCSM-182-72 to Sec Def, 22 Apr 72, Encl to JCS 2472/808-2, 19 Apr 72; JMF 045 (12 Feb 72). (TS-GP 3) JCSM-214-72 to SecDef, 8 May 72, Encl to JCS 2472/815, 7 May 72, JMF 907/045 (7 May 72). (S) CM-1820-72 to SecDef, 8 May 72, CJCS File 091 SEA, Jan-Jun 72.

32. (TS-GP 4) JCS 2472/808-4, 17 May 72; (TS-GP 4) JCSM-237-72 to SecDef, 22 May 72 (derived from JCS 2472/808-4); (C) Memo, SecDef to CJCS, 31 Aug 72, Att to JCS 2472/808-5, 1 Sep 72; JMF 045 (12 Feb 72).

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Secretary's tacit approval. In May 1972, the MACV Training Directorate was reorganized into the Army Advisory Group (AAG) with a strength of 792 military personnel and one civilian. Over a month later, on 29 June 1972, General Abrams left South Vietnam to return to Washington to be Chief of Staff of the Army. At that time, General Fred C. Weyand, USA, Deputy COMUSMACV, became the acting commander in Vietnam although he was not formally designated COMUSMACV until 12 October. Simultaneous with General Weyand's assumption of command on 29 June, General John W. Vogt, USAF, Commander of the 7th Air Force and Deputy COMUSMACV for Air, also became Deputy COMUSMACV with the three positions now consolidated into one. At that time, the Headquarters of the Military Assistance Command, Vietnam, and the 7th Air Force were merged.³³

Further Redeployments, July-August 1972

(U) The Joint Chiefs of Staff in April had recommended one redeployment announcement for the period 1 May through 1 November 1972 with the field commanders free to set the pace of the withdrawals within the overall ceiling figure. The President, however, did not accept this position and announced instead a 20,000 US withdrawal during May and June. The question remained: what would be the size and timing of future US redeployments?

(C) On 16 June 1972, the Secretary of Defense asked for General Abrams' views on future redeployments, and

33. (C-GP 4) JCSM-244-72 to SecDef, 26 May 72, JMF 045 (26 May 72). (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (U) pp. v, 37, M-1, M-3, N-3 - N-4.

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the Joint Chiefs of Staff gave the comments of both COMUSMACV and CINCPAC to Mr. Laird on 21 June 1972. The two commanders thought any reduction below the currently authorized 49,000 ceiling would result in "marginal capabilities" in one or more functional areas. Moreover, additional withdrawals would degrade the security of US forces and impair their ability to support the South Vietnamese. If it was imperative to continue redeployments, COMUSMACV believed it possible to redeploy another 10,000 US forces by 1 September. CINCPAC, on the other hand, favored a moratorium on withdrawals during July to allow an assessment of further redeployments in succeeding months.

(C) After presenting these positions, the Joint Chiefs of Staff told the Secretary that any substantial degradation of the US structure in South Vietnam at that "critical time" risked failure of US efforts in Southeast Asia. But, should "overriding considerations at the national level" require continuing US withdrawals, then the Joint Chiefs of Staff recommended the 10,000 figure proposed by COMUSMACV, reaching a ceiling of 39,000 by 1 September 1972.³⁴

(U) In this instance, the President heeded the advice of the Joint Chiefs of Staff. On 28 June 1972, White House Press Secretary Ronald Ziegler announced the President's decision to continue US withdrawals from South Vietnam. After consulting with the Government of Vietnam and reviewing the military situation, the President had ordered a reduction of the US troop level to 39,000 by 1 September. This decision, Mr. Ziegler explained, was based on the assessment that

34. (S) Memo, SecDef to CJCS, 16 Jun 72, Encl B to JCS 2472/824, 20 Jun 72; (TS) JCSM-288-72 to SecDef, 21 Jun 72, Encl A to JCS 2472/824, 20 Jun 72; JMF 911/374 (16 Jun 72).

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such redeployments could take place without jeopardizing Vietnamization or the safety of US forces remaining in South Vietnam. Mr. Ziegler went on to say that, effective immediately, draftees would no longer be assigned to duty in Vietnam unless they volunteered for service there.³⁵

(C) As in the previous redeployment increments, the Secretary of Defense directed the Joint Chiefs of Staff to carry out this redeployment and they approved the necessary troop list for Increment 13 (KEYSTONE WREN) reducing US strength to 39,000 by 1 September 1972. United States Navy spaces amounted to 55, US Air Force to 1,354, and US Marine Corps to 7, all of whom were advisers or support personnel. The US Army would withdraw 8,584 spaces including one infantry battalion, one airmobile battalion, two aerial weapons companies, one aerial rocket artillery battalion, one support and three assault helicopter companies, and logistic support personnel. These withdrawals proceeded forthwith and the US Army portion was completed on 23 August, marking the departure of the last major US ground combat units from South Vietnam. Increment 13 was completed on schedule on 31 August 1972, leaving US strength at 36,800.³⁶

(C) In planning Increment 13, COMUSMACV had notified the Joint Chiefs of Staff that he could no longer afford to set aside medical facilities to treat civilian war

35. Weekly Compilation of Presidential Documents, 3 Jul 1972, p. 1110.

36. (U) Memo, SecDef to CJCS, 1 Jul 72, Att to JCS 2472/828, 3 Jul 72; (TS) MJCS-258-72 to SecDef, 3 Aug 72, Att to JCS 2472/828-1, 7 Aug 72; JMF 911/374 (1 Jul 72). (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (U) p. F-58.

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casalties. He proposed henceforth to provide treatment for civilians only on a case-by-case basis where South Vietnamese medical facilities were insufficient. The Joint Chiefs of Staff endorsed this proposal. Mr. Laird replied on 26 August. For reasons of domestic and international impact, he did not want to make a formal announcement of the end of US support of the "Civilian War Casualty Program." But, because of the reduced capabilities of the US forces, he authorized COMUSMACV to proceed in practice as recommended by the Joint Chiefs of Staff.³⁷

The Final Redeployment Increment

(C) Throughout the spring and summer of 1972, the Joint Chiefs of Staff and the field commanders repeatedly cautioned the Secretary of Defense against continuing US troop withdrawals, but President Nixon, facing reelection in November, was determined to press ahead with further reductions pending a cease-fire agreement. Following the pattern of previous increments, Secretary Laird on 15 August 1972 requested views on redeployments beyond 1 September from Admiral Moorer and General Weyand.³⁸

(C) In response, the Joint Chiefs of Staff recalled the COMUSMACV plan of the previous March providing for a 15,000-man force structure in South Vietnam by 1 November 1972. This plan and figure were no longer feasible, they said, because of the North Vietnamese

37. (TS) MJCS-258-72 to SecDef, 3 Aug 72, Att to JCS 2472/828-1, 7 Aug 72; (TS) Memo, SecDef to CJCS, 26 Aug 72, Att to JCS 2472/828-2, 28 Aug 72; JMF 911/374 (1 Jul 72).

38. (S) Memo, SecDef to CJCS, 15 Aug 72, Att to JCS 2472/834, 16 Aug 72, JMF 911/374 (15 Aug 72).

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invasion. General Weyand believed US air and naval power "decisive and vital" to the current counteroffensive, the Joint Chiefs of Staff continued, and he would be "extremely hard pressed" to maintain this support with any further reduction in his forces. The new commander viewed the removal of the remaining US ground combat units in the increment then in process a "risk," believing that the impact of the reduction to a level of 39,000 by 1 September, had not yet been properly assessed. Only with reluctance the field commander had said a further 10,000-man withdrawal could be made by 1 November if required "at the highest level."

(C) Both CINCPAC and the Joint Chiefs of Staff concurred with General Weyand, with the Joint Chiefs of Staff recommending a US strength of "about 30,000" by 31 December 1972. Further, they urged that the field commander be free to determine the exact composition and timing of the approximate 9,000 spaces in this recommended redeployment.³⁹

(C) As the Increment 13 redeployment proceeded in July and August 1972, concern was voiced in the Washington Special Actions Group over military plans to relocate units from South Vietnam to Thailand. Consequently, the Secretary of Defense instructed Admiral Moorer that:

Actual redeployment of personnel from Vietnam to Thailand as a result of the drawdown in Vietnam will be kept to a minimum, and spaces for the personnel should be identified within the basic 32,200 Thailand ceiling.

39. (TS) JCSM-383-72 to SecDef, 19 Aug 72, App to JCS 2472/834-1, 18 Aug 72, JMF 911/374 (15 Aug 72).

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Thereafter, on 15 August, the Joint Chiefs of Staff assured Mr. Laird that they were limiting troop movement to Thailand to those essential to Southeast Asian operations and would continue to do so. They would, they said, reduce the entry of new units by transferring missions wherever possible to forces already stationed in Thailand and obtain clearance from the Royal Thai Government as far in advance as possible for troops moved from South Vietnam to Thailand.⁴⁰

(U) On 29 August 1972, White House Press Secretary Ziegler read a statement in San Clemente, California, announcing the redeployment of an additional 12,000 US troops from South Vietnam by 30 November. This withdrawal, he said, would reduce the US ceiling in Vietnam to 27,000 men. At a press conference later in the day, President Nixon explained that the 27,000 figure did not represent a force "that is going to remain in South Vietnam indefinitely." Rather, once the US Presidential election was over and before the first of December, he planned a further assessment, though he did not pledge a further withdrawal announcement at that time.⁴¹

(C) Following the established procedures, the Secretary of Defense authorized the withdrawal in accordance with the President's announcement and the Joint Chiefs of Staff approved the necessary troop list. Included in the 12,000 spaces of Increment 14 (KEYSTONE PELICAN) were: 7,282 US Army security, adviser, and support

40. (TS) Memo, SecDef to CJCS, 7 Jul 72, Att to JCS 2353/198, 8 Jul 72; (TS) JCSM-370-72 to SecDef, 15 Aug 72 (derived from JCS 2353/198-1); JMF 922/374 (7 Jul 72).

41. Weekly Compilation of Presidential Documents, 4 Sep 1972, p. 1306. Public Papers, Nixon, 1972, p. 830.

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personnel and 603 US Navy advisers and support forces. The US Air Force planned the removal of 3,208 troops, including three special operations squadrons, a tactical electronic warfare squadron, and various support personnel, and the 907 US Marine Corps spaces consisted of two attack squadrons (A-4) and associated support. Later, in November 1972, COMUSMACV decided to retain the two Marine Corps squadrons and appropriate trade-offs were made in the contingents of the other Services to accommodate the required 865 spaces.⁴²

(C) With the Increment 14 withdrawal underway, the Secretary of Defense on 14 September 1972 asked the Joint Chiefs of Staff for an analysis of necessary US force structure in Thailand assuming various US residual strengths in Vietnam and air activity levels in Southeast Asia and for a "follow-on study" of options for "US force resurgence" in Southeast Asia to meet a contingency similar to the recent North Vietnamese offensive. The Joint Chiefs of Staff supplied the Thailand force structure review on 18 October and a study of force resurgence options on 31 October. With regard to the latter, they concluded that US air forces could surge to meet a contingency as described by the Secretary with augmentation from the Strategic, Readiness, Pacific, and Atlantic Commands. They were quick to point out, however, that such an eventuality would limit the US capability to react quickly to contingencies in other areas of the world.⁴³

42. (U) Memo, SecDef to CJCS, 5 Sep 72, Att to JCS 2472/834-2, 5 Sep 72; (TS) MJCS-341-72 to SecDef, 17 Oct 72, Att to JCS 2472/834-3, 18 Oct 72; JMF 911/374 (15 Aug 72). (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (C) p. F-59.

43. (TS) Memo, SecDef to CJCS, 14 Sep 72, Att to JCS 2353/198-2, 15 Sep 72; (TS) JCSM-451-72 to SecDef, 18 Oct 72, Encl to JCS 2353/198-3, 16 Oct 72; (TS) JCSM-460-72 to SecDef, 31 Oct 72, Encl to JCS 2353/198-4, 27 Oct 72; JMF 922/374 (7 Jul 72).

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(U) The Increment 14 redeployment went forward without interruption, and on 30 November 1972, the US military strength in South Vietnam stood at 25,500 men, well below the authorized ceiling of 27,000. The two US Marine Corps A-4 squadrons were the only major combat units of any service remaining in South Vietnam at that time.⁴⁴

(C) During October 1972, a diplomatic settlement of the war appeared imminent, but then miscarried.⁴⁵ Subsequently, after the US Presidential election in November, the negotiations resumed, without success, and once again the question of additional redeployments confronted the President and his advisers. On 28 November Admiral Moorer told the Secretary of Defense that further withdrawals at the time would not be "prudent." He based his position on the still uncertain state of the peace talks as well as the need for "full use of the 27,000 personnel authorized as of 1 December" for security and orderly retrograde of US equipment if an agreement was attained. Therefore he recommended that the US force level in Vietnam be held at 27,000.⁴⁶

(C) Apparently because of the lack of progress in the negotiations, the President announced no further US redeployments at the beginning of December, and the authorized US ceiling in South Vietnam stood at 27,000 throughout the final weeks of 1972 and in early 1973.

44. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (C) pp. F-59 - F-61, (U) p. N-6.

45. For developments in the negotiations, see Chapter 11.

46. (TS) CM-2325-72 to SecDef, 28 Nov 72, CJCS CM Chron File.

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Nevertheless, US forces continued to leave Vietnam. At the end of December 1972, US strength had dropped to 24,069 and another 553 troops had departed by 27 January leaving 23,516 US troops there when the cease-fire went into effect. In all, 135,603 US troops redeployed from South Vietnam in the period 1 January 1972 through 27 January 1973.⁴⁷

Consideration of ROK Force Withdrawals

(C) With the continuing US redeployments in the early months of 1972, the issue of further ROK force withdrawals from South Vietnam again arose. The previous summer, President Nixon had recognized the Republic of Korea's desire to reduce its contingent in South Vietnam, deciding on 23 June 1971 to support two Korean divisions in South Vietnam through 1972. This decision, in effect, sanctioned the return of approximately 10,000 ROK troops from Vietnam to South Korea. Redeployment of the ROK 2d Marine Brigade together with support and headquarters elements began in late 1971 and was complete by April 1972.⁴⁸

(TS) Meantime, in January 1972, the United States had sought confirmation from President Chung Hee Park that the two ROK divisions would in fact remain in South Vietnam through 1972. The South Korean President had publicly reserved his position but told the US Ambassador in Seoul privately that he was proceeding with plans to withdraw the two divisions beginning in June 1972. Subsequently, the South Koreans approached the

47. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (C) pp. F-60 - F-61. (S-NOFORN-GP 1) COMUSMACV Command History, 1971, (C) p. J-39.

48. See Chapter 3, pp. 168-174.

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United States for pledges of both political and military support in return for retaining the two divisions in South Vietnam. Specifically, the Koreans asked that at least two US combat brigades remain in Vietnam as long as any Korean forces were there. They also sought air and logistic support for the ROK forces in Vietnam.⁴⁹

(TS) President Nixon requested the NSC Under Secretaries Committee to examine alternate courses available to the United States to assure the maximum ROK presense in South Vietnam. The NSC Committee replied to the President on 21 March 1972. The Republic of Korea had requested US assurances to keep its forces in Vietnam, the Committee said, and the United States could provide acceptable military support, although not in the exact terms requested, as long as the US force level remained above 30,000 troops. Once the US strength fell below that level, US capability to support the Korean forces would decrease and none would be possible at a US level of 15,000 unless additional US personnel were retained in Vietnam specifically for that purpose. In any event, the Committee members believed that the Koreans were open to compromise on the quid pro quo involved and set two alternative goals for negotiation with the Koreans. In the first, the United States would either give a pledge to keep its forces in South Korea for a stated period or increase military assistance to the Republic of Korea in return for retention of the two divisions in South Vietnam. The second provided for negotiation for a smaller ROK force in Vietnam if ROK demands for the full two divisions proved too high. A third alternative,

49. (TS-GP 1) Memo, NSC Under Secys Cmte to President, 21 Mar 72, Att to JCS 2472/800-2, 28 Mar 72, JMF 911/497 (16 Feb 72).

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although not offered for the President's consideration, was not to oppose ROK troop withdrawals from Vietnam.⁵⁰

(TS) Shortly after sending this study to the President, the Under Secretaries Committee learned that the Republic of Korea had modified its position. Now the Koreans no longer insisted on the retention of two US combat brigades in South Vietnam if the Korean troops were to stay. Rather, the ROK Minister of Defense had stated that the presence of "some" US ground combat forces would suffice.⁵¹

(TS) President Nixon reviewed the question of keeping the two ROK divisions in Vietnam and, on 5 April 1972, decided on US actions to facilitate retention of those forces. The United States would provide air support for the ROK forces within overall priorities as had been the case in the past; it would be prepared to implement an alternative logistic support system for the ROK divisions; and it would be ready to plan a joint US/ROK evacuation airlift of the Korean forces. In discussions with the Koreans, the President did not want to link the presence of US troops in Korea with the issue of the ROK divisions in Vietnam. Instead, the United States would assure the Republic of Korea that US forces would not be "totally" withdrawn from South Vietnam as long as ROK troops remained there. If these assurances proved acceptable to the Koreans, then the President desired to review the need

50. (TS-GP 1) Memo, NSC Under Secys Cmte to President, 21 Mar 72, Att to JCS 2472/800-2, 28 Mar 72, JMF 911/497 (16 Feb 72).

51. (TS-GP 1) Memo, NSC Under Secys Cmte to President, 27 Mar 72, Att to JCS 2472/800-3, 31 Mar 72, JMF 911/497 (16 Feb 72).

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for the ROK forces in South Vietnam again later in the year and he wanted the Republic of Korea so informed.⁵²

(TS) At the end of March 1972, just as the Republic of Korea was completing the previously planned redeployment of 10,000 forces from South Vietnam, North Vietnam launched its massive invasion across the Demilitarized Zone into South Vietnam. The Government of Vietnam immediately requested the assistance of the ROK forces in Vietnam in securing important coastal areas in MR 2 and large segments of National Highways 1 and 19, and the Republic of Korea suspended plans for further redeployments. Subsequently, on 25 May 1972, President Park agreed to retain the remaining two ROK divisions in South Vietnam throughout 1972. The United States conveyed assurances of continued support for those forces, but at the same time, indicated its intention to review early in November 1972 the question of the presence of the ROK divisions in Vietnam beyond 1972.⁵³

(TS) By late summer, the Republic of Korea resumed planning to remove its divisions from South Vietnam, calling for the withdrawal of its forces in the first half of 1973. The US military commanders, however, were anxious to keep the Korean troops in Vietnam for a longer period. General Weyand thought retention of at least one ROK division in MR 2 through 1973 was a necessity, and CINCPAC agreed with him. Consequently, the Government of Vietnam asked the Republic of Korea

52. (TS-EX) Extracts of NSDM 161, 5 Apr 72, JMF 001 (CY 1972) NSDMs, sec 1.

53. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (C) p. C-85, (TS-EX) Memo, NSC Under Secys Cmte to DepSecDef et al., 22 Sep 72, Att to JCS 2472/800-5, 25 Sep 72, JMF 911/497 (16 Feb 72).

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to delay the withdrawals, and President Nixon directed another NSC review of the matter.⁵⁴

(C) Thereafter the NSC under Secretaries Committee prepared four alternatives to delay the redeployment of the two ROK divisions into late 1973 and 1974. In the end, however, the Under Secretaries' review and alternatives proved academic. The full two ROK divisions remained in South Vietnam throughout the remainder of 1972 and for the first three weeks of 1973. Then, with the Vietnam agreement, all US and ROK forces began immediate withdrawal and, by the end of March 1973, all had departed Vietnam.⁵⁵

54. (S) DJSM-1823-72 to CJCS, 22 Sep 72; (TS-EX) Memo, NSC Under Secys Cmte to DepSecDef et al., 30 Aug 72, Att to JCS 2472/800-4, 6 Sep 72; (TS-EX) memo, NSC Under Secys Cmte to DepSecDef et al., 22 Sep 72, Att to JCS 2472/800-5, 25 Sep 72; JMF 911/497 (16 Feb 72).

55. (TS-EX) Memo, NSC Under Secys Cmte to DepSecDef et al., 22 Sep 72, Att to JCS 2472/800-5, 25 Sep 72; (TS-EX) Memo, NSC Under Secys Cmte to DepSecDef et al., 5 Oct 72, Att to JCS 2472/800-7, 11 Oct 72; JMF 911/497 (16 Feb 72). (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (C) p. C-85. For withdrawal of the ROK Forces from South Vietnam, see Chapter 14.

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TABLE 5

US REDEPLOYMENTS IN 1972

INCREMENT	PERIOD	AUTHORIZED CEILING	SPACES REDUCED	COMBAT MVR BN	FORCES ARTY BN	ATK/FTR SQDNS
X (KEYSTONE MALLARD)	1 Dec 71-31 Jan 72	139,000	45,000**	6	5	2
XI (KEYSTONE OWL)	1 Feb-30 Apr 72	69,000	70,000	11	3	0
XII (KEYSTONE PHEASANT)	1 May-30 Jun 72	49,000	20,000	4	2	7
XIII (KEYSTONE WREN)	1 Jul-31 Aug 72	39,000	10,000	3	0	0
XIV (KEYSTONE PELICAN)	1 Sep-30 Nov 72	27,000	12,000	0	0	0

* Includes both USAF and USMC squadrons

** 25,000 spaces in December 1971 and 20,000 spaces in January 1972

Source: COMUSMACV Command History, Jan 72-Mar 73, pp. F-56 - F-60.

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TABLE 6

ACTUAL STRENGTH OF US MILITARY FORCES IN VIETNAM
JANUARY 1972-JANUARY 1973

31 January 1972	136,505
29 February 1972	119,606
31 March 1972	95,500
30 April 1972	68,100
31 May 1972	63,000
30 June 1972	48,000
31 July 1972	46,000
31 August 1972	36,800
30 September 1972	35,500
31 October 1972	32,200
30 November 1972	25,500
31 December 1972	24,000
31 January 1973	21,821

Source: COMUSMACV Command History, Jan 72-Mar 73, pp.
N-1 - N-7.

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CHAPTER 9

RVNAF IMPROVEMENT, 1972

(U) Throughout 1971, the President, the Secretary of Defense, and the Joint Chiefs of Staff had all exercised especial vigilance on the matter of the improvement of the RVNAF. They wanted the South Vietnamese forces trained and equipped to the fullest extent possible as the South Vietnamese assumed expanding responsibility for the conduct of the war. The US attention in this regard increased still further during the final 15 months of US military involvement in South Vietnam. In early 1972, the Joint Chiefs of Staff and the field commanders continued to refine the RVNAF structure to assure the best force to meet the enemy challenge. Then, with the enemy offensive in the spring and the subsequent prospects of an imminent political settlement during the latter months of 1972, President Nixon was particularly anxious that the South Vietnamese have everything possible to insure the survival of the Republic of Vietnam. Since the South Vietnamese force structure had already been expanded to prudent limits, the President directed several accelerated programs to supply added military equipment to the Republic of Vietnam as the United States prepared for its military departure.

FY 1973 Force Structure Review

(TS) During the fall of 1971, COMUSMACV's staff and the Joint General Staff (JGS) reviewed the Consolidated RVNAF Improvement and Modernization Program (CRIMP) force structure for FY 1973 to ensure that the South Vietnamese would have the necessary troops to

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replace withdrawing US and Free World Forces. Keeping within the approved 1.1 million manpower ceiling, the two staffs addressed the RVNAF interdiction capability, reinforcement of Military Regions 1 and 2, and development of an air cavalry capability, medium helicopter assets, and the capabilities of self-propelled artillery. They also considered faster activation of units; improvements in command control, leadership and morale, logistics, and individual and unit training; and the availability of manpower resources to maintain the 1.1 million-man force level.

(TS) General Abrams submitted the results of this review to CINCPAC on 12 January 1972. His submission consolidated force structure changes approved since the FY 1972 review the previous spring,¹ which included: activation of the ARVN 3d Infantry Division and 20th Tank Squadron, VNAF acquisition of Phu Cat Air Base, VNN acquisition of two former US Coast Guard high endurance cutters (WHECs), and reduction of RF company strengths in MRS 3 and 4 from 123 to 119 personnel. General Abrams also recommended further changes for FY 1973 that would reorganize, expand, or streamline existing units in accordance with "current experience factors and increased RVNAF assumption of combat and combat support responsibilities." The most important proposed change was a sizeable increase in forces for air and naval interdiction: addition of maritime patrol aircraft, conversion of an air transport squadron to gunships (AC-119Ks), introduction of short takeoff and landing (STOL) aircraft, and provision of US Coast Guard WHECs capable of operating in deep

1. See Chapter 6, pp. 299-312.

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water. Another area was the territorial forces, where accelerated US redeployment required 131 additional RF companies.

(TS) General Abrams estimated the cost of the force structure changes at \$87.172 million for FY 1972 and \$169.174 million in FY 1973 with nearly 80 percent of these sums attributable to the interdiction improvement efforts. To facilitate the changes, he requested temporary authority to exceed the 1.1 million strength ceiling by 17,000 spaces pending resolution of specific manpower tradeoffs in negotiation with the Joint General Staff. The South Vietnamese wished to support increases in the VNAF and elsewhere by eliminating Popular Force spaces. General Abrams, on the other hand, hoped to accomplish the same increases by withdrawing at least some compensating spaces from the ARVN. In the COMUSMACV version, the RVNAF spaces would be allocated as follows:

	<u>FY 1972 ADJUSTED STRENGTHS</u>	<u>FY 1973 CHANGES</u>	<u>FY 1973 ADJUSTED STRENGTHS</u>
ARVN	448,925	-15,463	433,462
VNAF	49,196	+12,257	61,453
VNN	40,681	+250	40,931
VNMC	14,072	+173	14,245
RF	292,405	+14,702	307,107
PF	254,721	-11,919	242,802
	<u>1,100,000</u>	<u>0</u>	<u>1,100,000</u>

Admiral McCain studied the FY 1973 CRIMP force structure review and forwarded it to the Joint Chiefs of Staff on 1 January, recommending approval of all the changes as well as the temporary increase in the RVNAF manpower ceiling.²

2. (TS-GP 4) Ltr, COMUSMACV to CINCPAC, 12 Jan 72; Ltr, CINCPAC to CJCS, 21 Jan 72; Atts to JCS 2472/796, 25 Jan 72, JMF 911/535 (12 Jan 72). (TS-NOFORN EX) COMUSMACV Command History, Jan 72-Mar 73, (TS) p. C-12.

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(TS) At the time the Joint Chiefs of Staff received the FY 1973 CRIMP review, they were preparing a report for the Secretary of Defense on measures to achieve an optimal RVNAF interdiction capability as Mr. Laird had directed the previous October.³ They forwarded this report on 14 February 1972. Programs to provide the VNAF with a maritime air patrol capability and STOL aircraft (CREDIBLE CHASE) and modification of A-37 aircraft to assist the RVNAF in interdiction efforts were all undergoing evaluation. The RVNAF force structure review for FY 1973, the Joint Chiefs of Staff told the Secretary, would include manpower spaces to allow provision of AC-119K aircraft to the South Vietnamese at a later date, and efforts were being made to update VNAF requirements for the CBU-55 (cluster bomblet munition). In addition, more deepwater ships were required by the VNN to impede sea infiltration. These programs would, of course, require revisions in the RVNAF force structure, causing impacts on current programs and requiring "difficult trade-offs." The COMUSMACV-JGS review had already addressed this matter, and the Joint Chiefs of Staff told the Secretary that the required changes would be included in the FY 1973 RVNAF force structure review to be provided shortly.⁴

(TS) A little over a week later, on 23 February, the Joint Chiefs of Staff submitted the promised RVNAF force structure review to Secretary Laird, endorsing the recommendations of General Abrams. Major changes proposed for FY 1973 would provide for: (1) ARVN engineer augmentation, (2) adding 131 Regional Force

3. See Chapter 6, pp. 339-341.

4. (TS-GP 3) JCSM-54-72 to SecDef, 14 Feb 72, Encl to JCS 2472/747-16, 10 Feb 72, JMF 911/309 (10 May 71) sec 6.

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companies, (3) upgrading Phan Rang Air Base to operational status, (4) acquisition of an additional airbase, (5) provision of five STOL squadrons (200 aircraft), (6) acquisition of an AC-119K gunship squadron, (7) provision of three WHECs for the VNN,⁵ (8) provision of a VNAF maritime air patrol capability, (9) reduction in Regional Force company strengths in MRS 1, 2, and 3. Some of these measures, such as the provision of the STOL planes and additional WHECs, were still under evaluation. Therefore the Joint Chiefs of Staff forwarded COMUSMACV's cost estimates, but warned that these were only preliminary and subject to change in light of further study.

(TS) The Joint Chiefs of Staff recommended approval of the proposed changes, which would enhance RVNAF capabilities, especially interdiction. Still to be resolved was the dispute between COMUSMACV and the Joint General Staff regarding space trade-offs within the RVNAF in order to remain within the established personnel ceiling. The Joint Chiefs of Staff anticipated, however, that this matter could be settled by 1 July 1972 and that the temporary space authorization would not be required beyond FY 1973. Accordingly, they sought approval for 17,000 spaces above the 1.1 million RVNAF force structure through FY 1973, but with the proviso that the United States not support RVNAF assigned strength in excess of 1.1 million men. They viewed this temporary increase as a management device to allow initiation of long term programs without

5. Apparently, the three WHECs represented only one in addition to the two already approved and one less than the two additional recommended by COMUSMACV.

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debilitating South Vietnamese combat power in the "crucial" months ahead. Moreover, they noted that the RVNAF had always been at least 39,000 men short of the authorized 1.1 million level. The changes proposed by the Joint Chiefs of Staff would provide the following RVNAF structure:

	<u>Strengths End FY 1972</u>	<u>Proposed Changes</u>	<u>Proposed Adjusted FY 1973 Strengths</u>
ARVN	448,925	+ 1,442	450,367
VNAF	49,196	+12,257	61,453
VNN	40,681	+ 250	40,931
VNMC	14,072	+ 173	14,245
RF	292,405	+14,702	307,107
PF	254,721	-11,919	242,802 ⁶
Total	1,100,000	+16,905	1,116,905 ⁶

(TS) On 16 March 1972, Secretary Laird approved the temporary increase in the RVNAF structure requested by the Joint Chiefs of Staff. He did not want new units created, however, if they would divert manpower from front-line battalions and he stressed the goal of 90 percent manning for combat and other key units remained unfulfilled.⁷

(TS) Thereafter, on 29 March 1972, the Joint Chiefs of Staff provided the Secretary of Defense cost figures for the force structure changes recommended on 23 February. The FY 1972 programs required \$18.36 million and the FY 1973 additions another \$75.58 million. Tentative FY 1973 programs for major interdiction improvement (provision of additional aircraft and WHECs), which were subject to further evaluation, were priced at \$160.05 million. Secretary Laird

6. (TS-GP 4) JCSM-75-72 to SecDef, 23 Feb 72, Encl to JCS 2472/796-1, 18 Feb 72, JMF 911/535 (12 Jan 72).

7. (TS-GP 4) Memo, SecDef to CJCS, 16 Mar 72, Att to JCS 2472/796-2, 17 Mar 72, JMF 911/535 (12 Jan 72).

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determined that the requested changes in the RVNAF could be accommodated in the FY 1973 budget without additional funding, and he approved them on 4 May 1972. At that time, he asked to be informed of actions to return RVNAF authorized strength to the 1.1 million level.⁸

(TS) In planning to return the RVNAF to a 1.1 million-man strength, the Joint General Staff could be depended upon to seek elimination of territorial spaces because the South Vietnamese military leaders consistently showed a preference for regular over territorial forces within the overall ceiling. In fact, during an April conference in Saigon with Major General Alexander Haig, President Thieu raised the possibility of forming additional main force units by using Regional and Popular Force units which would, in turn, be replaced by further recruitment. Commenting on this proposal, Admiral Moorer expressed his view that then, during the current offensive, was "not the time to reorganize the ARVN force structure, particularly in light of the tempo of operations and the availability of manpower."⁹

(C) In the end, the Joint General Staff view prevailed. On 19 June, COMUSMACV provided his recommendations to CINCPAC to return the RVNAF to the 1.1 million authorization, identifying 16,905 Popular Force spaces for elimination. He also proposed organizational changes in the VNN to support the three new high endurance cutters and other uses for 4,100 VNAF spaces previously designated for the STOL program now

8. (TS-GP 4) JCSM-131-72 to SecDef, 29 Mar 72, Encl to JCS 2472/796-3, 22 Mar 72; Memo, SecDef to CJCS, 4 May 72, Att to JCS 2472/796-4, 5 May 72; JMF 911/535 (12 Jan 72).

9. (TS-GP 1) Msg, JCS 1489 to CINCPAC, 242139Z Apr 72.

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now that the United States had decided to hold provision of the STOL to South Vietnam in abeyance pending test results.¹⁰

(TS) The Joint Chiefs of Staff accepted COMUSMACV's recommendations and told Secretary Laird on 3 July 1972 that the divergencies between the Joint General Staff and COMUSMACV on personnel space trade-offs to meet the FY 1973 force structure changes had been resolved. The 1.1 million ceiling would be met by the end of FY 1973 through elimination of 16,905 Popular Force spaces, requiring inactivation of 554 Popular Force platoons. At the same time, the Joint Chiefs of Staff notified CINCPAC that the VNN changes as proposed by COMUSMACV were approved and that the Popular Force and VNAF changes were approved for planning.¹¹ Thus the final RVNAF authorized strength for the end of FY 1973 was as follows:

	FY 1973 <u>Adjusted Strengths</u>
ARVN	450,760
VNAF	64,507
VNN	39,742
VNMC	14,402
Regional Force	324,561
Popular Force	206,028 ¹²
	<u>1,100,000</u>

Project ENHANCE

(TS) The North Vietnamese offensive, breaking at the end of March 1972, dealt a staggering, if momentary

10. (TS-GP 4) Msg, COMUSMACV to CINCPAC, 190007Z Jun 72, JCS IN 90240. For the US decision on the STOL program, see Chapter 6, p. 343-350.

11. (TS) JCSM-302-72 to SecDef, 3 Jul 72; (TS) Msg, JCS 2998 to CINCPAC, 031725Z Jul 72; (both derived from JCS 2472/796-5), JMF 911/535 (12 Jan 72).

12. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (S), p. C-16.

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blow to the RVNAF improvement program and stimulated Project ENHANCE, the funneling of massive amounts of additional military equipment to the South Vietnamese forces. Even before the offensive, both the Secretary of Defense and the President had been anxious for improvement of the RVNAF to proceed at the maximum possible pace. After review of the JCS report on 14 February on measures to strengthen the RVNAF interdiction capability,¹³ Secretary Laird had expressed disappointment to Admiral Moorer on 10 March with the progress and requested a review to identify actions to accelerate the effort. A few days later, President Nixon directed a review of VNAF capabilities and related US assistance. He wanted the review to cover the period FY 1973-1975 and to address the possibility of providing the VNAF a broad range of capabilities for missions currently performed mainly by US forces. In addition to land and sea interdiction, areas mentioned by the President included: air defense, reconnaissance, intelligence collection, and out-of-country air support and interdiction. In essence, the President wanted to insure that the VNAF was prepared not only for a reduction but also withdrawal of US air support.¹⁴

(C) In compliance with the President's directive, the Secretary of Defense asked the Joint Chiefs of Staff for a review of RVNAF improvement, VNAF capabilities, and air activities in Southeast Asia as well

13. See above, p. 480.

14. (TS-GP 4) Memo, SecDef to CJCS, 10 Mar 72, Att to JCS 2339/354, 13 Mar 72, JMF 907/535 (10 Mar 72). (TS-GP 3) NSSM 151 to SecDef, 15 Mar 72, Att to JCS 2472/804, 18 Mar 72, JMF 911/496 (15 Mar 72).

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as US forces in Vietnam.¹⁵ His earlier tasking for further enhancement of RVNAF interdiction was to be incorporated in this larger review, the scope of which would encompass "future US force posture in SEA, RVNAF structure, and the military outlook for the RVN during the period FY 73-FY 76."¹⁶

(C) On 24 April, the Joint Chiefs of Staff gave Mr. Laird an assessment of air activity in Southeast Asia during the period 1973-1976. They concluded that current programs for development of Southeast Asian air forces were progressing as rapidly as possible and that any significant changes should be avoided until the later part of the FY 1973-1976 period. In South Vietnam, the Joint Chiefs of Staff considered that "the VNAF has been developing for the past several years at the maximum feasible rate." Major shortfalls in relation to the total threat were in air defense and interdiction in a high threat environment, neither of which could be corrected by "easily made changes in the VNAF structure."

(C) The Joint Chiefs of Staff believed that US air activity would be required in Southeast Asia, at least in the near term, to offset shortfalls in the capability of Southeast Asian air forces. They presented four options for attack sortie levels and recommended approval of the first option for FY 1973, supplying 8,000 tactical air, 1,000 B-52, and 750 gunship sorties

15. For this latter aspect of the review, see Chapter 8, pp. 455-456.

16. (TS-GP 4) Memo, SecDef to CJCS, 1 Apr 72, Att to JCS 2472/810, 1 Apr 72, JMF 907/301 (1 Apr 72). Admiral Moorer wanted to hold this review in abeyance pending the outcome of the ongoing enemy offensive, but Secretary Laird did not agree, asking for the studies by late that month. See (TS-GP 4) CM-1740-72 to SecDef, 13 Apr 72, Att to JCS 2472/810-3, 14 Apr 72; (TS-GP 4) Memo, SecDef to CJCS, 22 Apr 72, Att to JCS 2472/810-6, 24 Apr 72; JMF 907/301 (1 Apr 72).

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per month, the level recommended by the field commanders. Planning for sortie rates for FY 1974 and later years, they said, should await further evaluation.¹⁷

(C) Three days later, the Joint Chiefs of Staff forwarded a review of RVNAF improvement and VNAF capabilities. The most valid measure of military balance in South Vietnam, they noted, would be the outcome of the current offensive. In the final analysis the ultimate success of the RVNAF would depend on the South Vietnamese tenacity and will to win. So far, the Joint Chiefs of Staff found the overall performance of the RVNAF "encouraging." After initial onslaughts by locally superior North Vietnamese Army forces, the South Vietnamese had regrouped, reinforced, and slowed the enemy offensive. Of particular significance, the Joint Chiefs of Staff believed, was the fact that operations thus far appeared to justify fully the force structure of the 1.1 million-man RVNAF. They noted that the offensive was providing "a rigorous test" of US attempts to improve RVNAF leadership. Many South Vietnamese combat leaders were on the battlefield for the first time without US advisers and, "by and large, the results have been encouraging." There appeared to be a continuous upward trend in the overall quality of RVNAF leadership, and US programs in this area would continue to stress improvement.

(C) With respect to VNAF capabilities, the Joint Chiefs of Staff again stressed that the South Vietnamese Air Force was developing at "the maximum feasible rate." They described the shortfalls as outlined in their submission three days earlier and repeated that these could not be easily corrected. Although the current combat situation precluded a thorough assessment of the South Vietnamese interdiction effort, the

17. (TS-GP 4) JCSM-184-72 to SecDef, 24 Apr 72, Encl A to JCS 2472/810-5, 20 Apr 72, JMF 907/301 (1 Apr 72).

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Joint Chiefs of Staff believed it was improving. They emphasized, however, that it could not achieve the US level.

(C) The Joint Chiefs of Staff concluded that: "The present program for the RVNAF force structure provides a capability to meet the assessed enemy threat and yet retains flexibility for changes or modifications as they may become necessary." They defended the RVNAF as "balanced, insofar as possible, taking full cognizance of the GVN capacity to provide leadership, skills, and manpower." They warned against introduction of additional complex equipment that the RVNAF could not absorb. The US effort for the near term, the Joint Chiefs of Staff believed, "should be directed toward supplying resources already programmed, providing support capabilities not possessed by the RVNAF, providing advisory assistance, and monitoring essential programs until such time as it appears success is assured."¹⁸

(TS) Meantime, President Nixon wanted to assure the South Vietnamese all the materiel support needed to meet the enemy invasion. He asked Dr. Kissinger about this matter several times during the early days of the offensive and at a WSAG meeting on 17 April, Dr. Kissinger requested Deputy Secretary of Defense Kenneth Rush to prepare a paper on equipment replacements for the RVNAF. Dr. Kissinger suggested a joint effort with Admiral Moorer.¹⁹

(TS) Admiral Moorer supplied Deputy Secretary Rush an inventory of what the South Vietnamese were authorized, what they had lost, and what they actually had. In

18. (TS-GP 4) JCSM-192-72 to SecDef, 27 Apr 72, Encl to JCS 2472/810-7, 24 Apr 72, JMF 907/301 (1 Apr 72).

19. (TS) WSAG Mtg. Minutes, 17 Apr 72, NSC Files.

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addition, he advised Mr. Rush of the equipment losses the United States planned to replace and the sources for these replacements. Using this information Mr. Rush presented his paper to the WSAG on 18 April. Dr. Kissinger and General Haig, the latter just returned from Vietnam, discussed the South Vietnamese logistical situation with President Nixon the following day, 19 April. The President wanted to keep RVNAF equipment up to authorized levels. Should there be a settlement with a moratorium on the introduction of new equipment, he was anxious for the South Vietnamese to be in the strongest position possible.²⁰

(TS) Resupply of RVNAF equipment losses within currently approved levels proceeded apace. On 17 May, the WSAG members again took up this matter. Dr. Kissinger reported that the President wanted to get the maximum amount of equipment to South Vietnam as soon as possible. The President was still concerned that the RVNAF be as well supplied as possible in the event of a political settlement. In the ensuing discussion, Admiral Moorer observed that in no instance had the South Vietnamese lost a battle because of the lack of logistical support. He also voiced concern over the "tremendous cost" of additional equipment for the RVNAF. Nevertheless, the members did agree to have ready for the President by Friday, 19 May, a list of equipment that could be sent to Vietnam on a priority basis.²¹

(TS) Mr. Rush prepared the list, casting it in the form of a proposed memorandum for the President. He

20. (TS) WSAG Mtg. Minutes, 18 and 20 Apr 72, NSC Files.

21. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (S) p. E-1. (TS) WSAG Mtg. Minutes, 17 May 72, NSC Files.

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observed that supplies for the South Vietnamese were adequate. At the outbreak of the offensive in early April, US deliveries under the CRIMP for FY 1973 were virtually complete. Since then a major effort had been made to replace all the materiel destroyed in the fighting, and the RVNAF supply posture at the beginning of the invasion had prevented equipment shortages from degrading the South Vietnamese combat ability. Mr. Rush cautioned that equipment and supplies, although desirable, were not enough to bolster RVNAF capability, stating:

Sufficiency in the combat capability of the RVNAF depends, more than on equipment, on RVN will and desire. We must be careful not to delude the GVN and RVNAF that hardware can in some way substitute for backbone.

(TS) Against this background, Mr. Rush then presented three options for the RVNAF developed on a "building-block" concept. The first included only that equipment believed necessary to sustain the RVNAF "in the current combat situation" and consisted of two "suboptions" (A and B)--items considered militarily essential and those to enhance further RVNAF capability. The second option provided additional equipment for the RVNAF if the United States withdrew from Southeast Asia "for other than military reasons" in the next two to four months. Again the option was broken into two parts, that essential and that to give "even greater capability." The final option provided additional materiel to demonstrate US resolve and determination to support the Republic of Vietnam. The actual equipment included in each option was as follows:

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Option 1

A

32 UH-1 assault helicopters
30 STOL aircraft
850 60mm mortars
30 TOW antitank weapons systems

B

5 F-5A aircraft
48 A-37 aircraft
70 TOW antitank weapons systems
4 PCF ships

Option 2

A

Accelerated delivery of 14 RC-47 reconnaissance aircraft
Accelerated delivery of 23 AC-119K fixed wing gunships
Accelerated delivery of 23 EC-47 intelligence collection aircraft
Accelerated delivery of 2 WHEC ships
12 C-119G maritime patrol aircraft
32 self-propelled twin-40mm air defense guns
1 M-48 tank battalion
2 composite field artillery battalions (8 inch howitzers and 175mm guns)

B

Accelerate delivery of 28 C-7 transport aircraft
Accelerated delivery of 1 additional WHEC ship
1 M-48 tank battalion
1 composite field artillery battalion (8 inch howitzers and 175mm guns)
64 Vulcan 20mm automatic antiaircraft weapons

Option 3

1 air cavalry troop for each MR of South Vietnam (144 Cobras, 160 LOHs, and 182 UH-1Hs)
4 HAWK air defense battalions
56 A-4B aircraft
3 squadrons of F-4 aircraft

(TS) These options included some new weapon systems and Mr. Rush pointed out several constraining factors. South Vietnamese technical proficiency to operate and maintain the weapons already possessed had been

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stretched thin by rapid expansion and the lack of technical experience, and the RVNAF was at least three years away from maintenance self-sufficiency for currently programmed equipment. Moreover, because of the binding 1.1 million-man RVNAF ceiling, introduction of a new weapon required elimination of an existing one and a period of retraining that might cause a temporary loss of combat effectiveness. Some sophisticated systems could not be supported by the RVNAF without extensive direct US military contractor support for a prolonged period. In addition, Mr. Rush observed that US forces everywhere would suffer further degradation in combat readiness as their weapons were given to the RVNAF.

(TS) Mr. Rush estimated the cost of the entire package at \$730 million--\$110 million for Option 1 in its entirety, \$220 million for the full Option 2, and \$400 million for Option 3. No funds were programmed for any of the equipment in these options and there was also an unfunded near term requirement of \$2.5 million for the current higher level of activity for US and RVN forces through 30 September 1972.

(TS) Mr. Rush did not recommend for or against adoption of the first two options. The third, however, he recommended not be implemented because the equipment would not become useful to the RVNAF "for years, if at all," and because provision of the equipment would degrade US stocks and capabilities. He also pointed out that "our ability to deliver equipment will exceed the ability of the South Vietnamese to receive, secure and forward it."²²

22. (TS-GP 1) Memo, DepSecDef to Pres, 19 May 72, Att to JCS 2472/818, 22 May 72, JMF 911/495 (19 May 72). Subsequently, the President accepted Mr. Rush's submission as fulfilling the requirements of NSSM 151

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(TS) Mr. Rush presented his memorandum to the WSAG on 19 May and it was passed on to the President. President Nixon acted that same day, approving the full first two options. Undaunted by a certain degradation of US force readiness and an estimated cost of \$330 million, he ordered immediate implementation of his decision with the specific understanding that the options were in addition to supply actions already in progress. Noting the large volume of materiel currently enroute to South Vietnam or scheduled for imminent shipment, he directed a review to see if further shipments could be expedited. In particular, he wanted "critical weapons and other high priority items" to arrive before 1 August. This program of equipment assistance for the RVNAF subsequently received the name Project ENHANCE.²³

(C) The following day, 20 May, President Nixon departed for a trip to Europe and the Soviet Union. While away, he sent a message to President Thieu informing him of the "immediate delivery to your forces of a very considerable quantity of additional weapons and equipment," including aircraft, artillery, tanks, antitank weapons, and other items. In delivering this message, Ambassador Bunker and General Abrams were to stress:

While these weapons will constitute a desirable addition to the strength of your forces, the effectiveness of these weapons must, in the final

(see above p. 485). (TS-GP 3) Memo, NSC Staff Secy to SecState, SecDef, and DCI, 24 May 72, Att to JCS 2472/804-1, 26 May 72, JMF 911/496 (15 Mar 72).

23. (TS-GP 1) Memo, DepSecDef to Pres, 19 May 72, Att to JCS 2472/818, 22 May 72, JMF 911/495 (19 May 72). (TS) WSAG Mtg. Minutes, 19 May 72, NSC files. (TS-EX) Extracts of NSDM 168, 19 May 72, JMF 001 (CY 1972) NSDMs.

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analysis, depend on the will and desire of your able and brave people. In the critical days ahead I urge you and your commanders to prosecute relentlessly and aggressively whatever counter actions can be conducted against enemy forces which have invaded your country.²⁴

(TS) In approving Project ENHANCE, President Nixon directed a further study of possible changes in the organization and equipment of the RVNAF in the period FY 1973-1975. The objective, he said, was to assist the South Vietnamese to cope with the new enemy weapons and tactics displayed in the current offensive and to enable them to carry out essential missions in the absence of US combat support forces. Deputy Secretary Rush asked Admiral Moorer on 23 May to designate the chairman for a working group to provide the information for the President. The Assistant Secretaries of Defense for International Security Affairs, Systems Analysis, Comptroller, and Installations and Logistics, as well as Department of State personnel, were to participate. Subsequently, Admiral Moorer named Brigadier General William C. Burrows, USAF, Chief, Far East/South Asia Division, J-5, as the chairman of the group.²⁵

(C) Admiral Moorer forwarded the completed report of the working group to Mr. Rush on 2 June 1972. The

24. (S) Msg, JCS 6862 to CINCPAC, 241524Z May 72, retransmitting Msg, State 5304 to Saigon, 232211Z May 72.

25. (TS-EX) Extracts of NSDM 168, 19 May 72, JMF 001 (CY 1972) NSDMs. (TS-GP 3) Memo, DepSecDef to Secys of MilDepts et al., 23 May 72, Att to JCS 2472/819, 24 May 72, JMF 911/495 (5 May 72) sec 1. (S-GP 4) CM-1887-72 to SecDef, 27 May 72, CJCS File 091 Vietnam, May 72.

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group solidly supported existing programs for the RVNAF. In its view:

the progress of the current fighting confirms the fundamental soundness of the Consolidated RVNAF Improvement and Modernization Program . . . and the process of modifying that program periodically to meet a changing enemy threat. Where failures on the battlefield have occurred, they have been principally failures of leadership rather than deficiencies in organization, equipment, or training.

The group was not optimistic, however, that additional equipment beyond that already approved would benefit the RVNAF. More important were "leadership and a sense of national purpose, which only the South Vietnamese can provide." Further measures to improve the RVNAF, the working group believed, must be approached cautiously to avoid reductions in combat effectiveness. The vast quantities of war materiel then flowing into South Vietnam and the technologically complex weapons to be furnished under Project ENHANCE would increase the need for already scarce leaders, managers, and trained technicians.

(C) Nonetheless, the working group did identify "some actions" to enhance further the RVNAF combat ability and to "commence movement toward a force which the United States and the RVN can support during the coming years." It considered, but rejected, a proposal to activate an additional ARVN division within the established RVNAF ceiling. The working group did recommend equipment for two CH-47 helicopter squadrons, two 175mm self-propelled artillery battalions, and two squadrons of F-5E aircraft, but with no organizational changes beyond those associated with this equipment.

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Personnel to support such equipment could be accommodated within the RVNAF ceiling of 1.1 million men, the group said, though additional funds would be needed either through supplemental funding or budget amendment. When Admiral Moorer forwarded the working group report, he pointed out to Mr. Rush that personnel requirements for both the above equipment as well as for the Project ENHANCE equipment were still incomplete and would be furnished by the Joint Chiefs of Staff at a later date.²⁶

(C) The Secretary of Defense reviewed the working group study and used it as the basis for a report to the President. After his review, the Secretary also authorized various changes and additions to Project ENHANCE. He added the two squadrons of CH-47 helicopters and 11 M-88 tank recovery vehicles, substituted three 175mm gun battalions for three composite artillery battalions, and replaced ground mounted TOW antitank missile launchers with vehicular ones. He also wanted two F-5E squadrons previously authorized included in the CRIMP. President Nixon approved the Secretary of Defense's steps to accelerate and augment Project ENHANCE, and on 12 July 1972, Dr. Kissinger informed Mr. Laird of the President's appreciation of the "high priority and excellent effort" of the Department of Defense in this project.²⁷

26. (TS) CM-1900-72 to DepSecDef, 2 Jun 72, Att to 1st N/H of JCS 2472/819, 2 Jun 72, JMF 911/495 (5 May 72) sec 1.

27. (TS) OSD Report, "Military Assistance to the RVN," n.d., Att to JCS 2472/819-1, 19 Jun 72; Memo, SecDef to Secys of MilDepts and CJCS, 16 Jun 72, Att to JCS 2472/819-2, 27 Jun 72; JMF 911/495 (5 May 72) sec 2. (S) Memo, Dr. Kissinger to SecDef, 12 Jul 72, Encl to Att to JCS 2472/819-7, 19 Jul 72, same file, sec 3.

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(C) Thereafter the movement of the designated equipment to South Vietnam proceeded. By mid-October some 95 percent of the Project ENHANCE equipment had either already arrived or been released for movement. Shipments thus far totalled 69,000 metric tons by sea and 20,000 short tons by air, and much of the remaining materiel was in the pipeline. The overall RVN supply posture was good, supply problems were not disrupting combat operations, and the rebuilding of stocks to pre-invasion levels was progressing satisfactorily.²⁸

(C) In the meantime, Secretary Laird had raised the question of additional aircraft for the VNAF. He asked the Secretary of the Air Force to prepare a study defining options for providing the VNAF a follow-on attack fighter aircraft force. In the resulting study, the Secretary of the Air Force saw a gap in VNAF capabilities, especially in interdiction and close air support, as the United States withdrew, and he presented several alternatives. These ranged from merely maintaining the current strength by replacing attrition losses to providing as many as five squadrons of high-performance aircraft by FY 1974-1975.²⁹

(C) Upon receipt of the study on 31 August, Mr. Laird asked Admiral Moorer to review it. The Chairman responded on 6 October, describing the Air Force submission as an excellent basis for evaluating the problem, but pointing out other areas for consideration before a final decision. The availability of aircraft,

28. (TS) Point Paper for CJCS and JCS for Use in Discussions with SecDef on 16 Oct 72, "Materiel Status of the RVNAF (U)," n.d., CJCS File 091 Vietnam, Oct 72.

29. (TS) SecAF Study, "Aircraft for the VNAF," n.d., JMF 911/460 (12 Sep 72) sec 1A.

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the impact of the proposed changes on the RVNAF force structure, and the precise military requirements for fighter-attack aircraft all needed to be determined. Admiral Moorer recommended a review of the Air Force study by the Joint Chiefs of Staff and the field commanders.³⁰

(C) The Assistant Secretary of Defense (International Security Affairs) had, in fact, already requested the recommendations of the field commanders and the Joint Chiefs of Staff on this issue, and they were provided on 11 October. The Joint Chiefs of Staff concluded that there was no quick way to increase the capability of the VNAF because of the time required to train pilots and maintenance personnel. In addition, they believed a precipitous insertion of a new weapon system into the VNAF at that time would only exacerbate an already critical situation and degrade existing VNAF operational capability. If further air assets were to be supplied to South Vietnam, the Joint Chiefs of Staff favored additional A-37 and F-5E squadrons, one alternative proposed by the Secretary of the Air Force, since they would cause the least logistical impact on the VNAF and would increase the capability of the end force structure for close air support and interdiction. But, before the Secretary of Defense had acted on the JCS submission, the President ordered another massive equipment infusion for the RVNAF.³¹

30. (TS) Memo, SecDef to CJCS et al., "Aircraft for VNAF," 12 Sep 72; CM-2224-72 to SecDef, 6 Oct 72, Att to JCS 2472/839-1, 6 Oct 72; JMF 911/460 (12 Sep 72).

31. (TS) Memo, ASD(ISA) to CJCS, 4 Oct 72, Att to JCS 2472/839, 4 Oct 72; (TS) JCSM-449-72 to SecDef, 11 Oct 72, App to JCS 2472/839-2, 10 Oct 72; JMF 911/460 (12 Sep 72).

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Project ENHANCE PLUS

(TS) With the increasing likelihood of a negotiated settlement during October 1972, President Nixon became even more anxious to provide the South Vietnamese added materiel support before a cease-fire halted entry of further equipment into South Vietnam. Accordingly, he ordered expedited shipment of additional military equipment to South Vietnam to arrive "not later than 1 November 1972." As in the case of Project ENHANCE, the President took this action on his own initiative and in the absence of formal recommendations from his military advisers.

(TS) The Secretary of Defense announced the President's decision to the Secretaries of the Military Departments and Admiral Moorer on 20 October. He gave the new program the highest priority "immediately behind the support of US and RVNAF forces engaged in combat in SEA." The list of equipment was extensive. It included:

ARMY

Tanks

M48A3	72
M41	30

Guns

Twin 40mm	32
Howitzer 105mm	44
Launcher grenade 40mm	4,769
60mm mortar	700 (400 unserviceable)
175mm gun	8 (orig)
155mm howitzer M114	12
M16 rifle	6,476
Multi-mount machine gun 50 cal	96 (all unserviceable)

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Vehicles

Carrier personnel M113	117
Truck cargo 5 ton	76
Truck fuel 1,200 gal	35
Truck utility 1/4 ton M151	178
Truck tractor 5 ton	21
Truck cargo 2 1/2 ton	1,302
Truck dump 5 ton	424 (284 unserviceable)
Car armored M706	8
Carrier cargo M548	5

Radios

AN/URC 46	48
AN/GRG 125	9
AN/URC 34	68
AN/PRC 25	7,922
AN/URC 12	1,063
AN/URC 49	15

Generators

1.5 KW AC	40
1.5 KW DC	80

Miscellaneous

Teletype	85
Antenna	998

AIR FORCE

Aircraft

A-1	19
AC-119K	22
A-37B	90
C-130	32
F-5A	126
UH-1	177

<u>Vehicles</u>	855
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Secretary Laird also requested the Secretary of State to begin negotiations with various foreign governments to secure the release of the US F-5A aircraft designated for the military assistance programs for those

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countries, the title transfer of ROK equipment in South Vietnam, and the expedited movement of equipment from Japan.³²

(C) The Joint Chiefs of Staff quickly notified Admiral Noel Gayler, USN, who had succeeded Admiral McCain as CINCPAC on 1 September, of the new program, designating it ENHANCE PLUS. They embargoed retrograde of any of the listed items and directed title transfer of all equipment before 1 November 1972, even if it was still used by US troops.³³

(C) The President obviously wanted the added materiel in the hands of the South Vietnamese before a peace settlement entered into force, and further instructions by Secretary Laird left no doubt as to the importance attached to ENHANCE PLUS. There were few sources of equipment that could not be drawn upon to satisfy the requirements of the project, and the Secretary authorized his Assistant (Installations and Logistics) on 23 October to take equipment from US forces, active and reserve, from production, or from depots. Further, Secretary Laird ordered diversions from "international logistics customers." "Title transfer," he said, "of items required to be furnished the RVNAF will be accomplished as quickly as possible. This will result in title to equipment, both within and outside Vietnam and destined for Vietnam, including that in transit, resting in the RVNAF." He also directed the turnover of all remaining US bases in Vietnam to the South Vietnamese. The Acting Chairman, General Ryan, passed

32. (TS-EX) Memo, SecDef to CJCS, 20 Oct 72; Memo, SecDef to Secys of MilDepts, 20 Oct 72; CJCS File 091 Vietnam, Oct 72.

33. (TS) Msg, JCS 2801 to CINCPAC et al., 210251Z Oct 72, CJCS File 091 Vietnam, Oct 72.

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these instructions on to CINCPAC and the Service Chiefs the same day, noting that all equipment shipped was to be in serviceable condition.³⁴

(C) The failure to achieve a negotiated settlement of the war in October 1972 removed the necessity to complete ENHANCE PLUS by 1 November as originally planned. Even so the project was well on its way by that date. All of the Army and Air Force items in CONUS had been identified and offered for shipment. Secretary Laird had approved a ten-plane reduction in the number of F-5As, and the remaining 116 were to be obtained as follows: 32 from Iran, 48 from Taiwan, and 36 from Korea. In addition, 66 A-37s had been dismantled, crated, and shipped from Kelly Air Force Base and the M48A3 tanks were enroute to CONUS ports for shipment to Vietnam. By the end of October, 28,570 metric tons out of 82,797 required for ENHANCE PLUS were already in South Vietnam and the remainder was either in transit or in process for movement.³⁵

(C) Only two additions were made in the equipment provided the RVNAF after the initiation of ENHANCE PLUS. The first was amphibious craft for the Vietnamese Marine Corps (VNMC). In August 1972, COMUSMACV had recommended these craft to provide an amphibious capability after the withdrawal of US forces. Action was deferred at that time because the preferred LVT-7 model was not yet available but, as the deadline for ENHANCE PLUS approached, it became clear that available LVT-5s were preferable to none at all. On 3 November

34. (TS) Memo, SecDef to ASD(I&L), 25 Oct 72; (TS) Msg, JCS 2513 to CINCPAC et al., 260208Z Oct 72; CJCS File 091 Vietnam, Oct 72.

35. (TS) Msg, JCS 4487 to USCINCEUR, USCINCRED, and USCINCSO, 271716Z Oct 72. (TS) Fact Sheet, "Project ENHANCE PLUS," 1 Nov 72, CJCS File 091 Vietnam, Nov 72.

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the Commandant of the Marine Corps requested that LVT-5s be provided to the VNMC as an interim measure, and the Joint Chiefs of Staff, with ASD(I&L) approval, added 30 LVT-5s and one LVTR-1 to the Project ENHANCE PLUS list on 4 November.³⁶

(C) The second addition substituted O-2 aircraft in place of 35 O-1 aircraft for the VNAF because of their superior performance for forward air control and visual reconnaissance. Following the recommendations of the field commanders, the Joint Chiefs of Staff supported this change, and after securing Secretary of Defense approval, Admiral Moorer authorized the replacement on 10 November 1972.³⁷

(C) Since the ENHANCE PLUS equipment no longer had to reach Vietnam by 1 November 1972, some of it was transported by sea. The arrival of the SS HOOD at Newport on 12 December completed Project ENHANCE PLUS. In all, over 105,000 major items were delivered; 195 airlift sorties moved 4,998 short tons of equipment and 34 vessels transported 99,351 measurement tons by sea.³⁸

36. (S) JCS 2472/841, 26 Oct 72, JMF 911/496 (27 Oct 72). (TS) Msg, JCS 4541 to CMC, 042124Z Nov 72, CJCS File 091 Vietnam, Nov 72. Later, on 17 November 1972, the Joint Chiefs of Staff requested Secretary of Defense approval to replace the approved LVT-5s with LVT-7s in FY 1974 since no spare parts, tools, or follow-on maintenance was available for the LVT-5s. (S) JCSM-487-72 to SecDef, 17 Nov 72, Encl to JCS 2472/841, 26 Oct 72, JMF 911/496 (26 Oct 72).

37. (TS) DJSM-2123-72 to CJCS, 9 Nov 72; (S) Memo, SecDef to SecAF and CJCS, "Project ENHANCE PLUS," 10 Nov 72; (TS) Msg, JCS 2398 to CSAF, 102306Z Nov 72; CJCS File 091 Vietnam, Nov 72.

38. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (C) p. E-46.

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Further Studies

(C) While the Secretary of Defense and the Joint Chiefs of Staff were implementing the President's decisions for ENHANCE and ENHANCE PLUS, they were also attentive to the progress of the South Vietnamese armed forces. On 16 June 1972, Secretary Laird expressed concern with "the poor status of the ARVN maneuver battalion strength" and asked Admiral Moorer for an appraisal of the strength and training of all RVNAF ground combat elements. He also wanted a "separate, systematic assessment . . . of the performance of RVNAF leaders down to as low as a level as possible, to include coverage of both poor and good leadership," together with plans to correct deficiencies.³⁹

(S) The Joint Chiefs of Staff responded on 29 June with the encouraging information that the RVNAF then enjoyed the "highest overall assigned strength ever achieved." Maneuver battalion manning had increased from 66 percent of the authorized strength at the beginning of the offensive to 87 percent on 22 June. Under the current programs, which included reduction of the length of basic training, an amnesty for draft dodgers and deserters, declaration of martial law to tighten draft deferment, and induction of older men and 17-year olds, the Joint Chiefs of Staff anticipated that over 550,000 men would be available for induction--a sufficient number to meet requirements for the rest of 1972. "The RVNAF personnel picture," they concluded, "appears to be more encouraging than it has ever been, and ongoing training programs, as well as those envisioned for the future, appear both sound and realistic." The RVNAF leadership,

39. (TS) Memo, SecDef to Secys of MilDepts and CJCS, 16 Jun 72, Att to JCS 2472/819-2, 27 Jun 72, JMF 911/495 (5 May 72) sec 2.

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too, had shown improvement, though the Joint Chiefs of Staff believed additional effort was needed in this area.⁴⁰

(C) The Secretary of Defense and his assistants continued to monitor the status of the RVNAF. In a memorandum for Admiral Moorer on 6 July, Assistant Secretary for International Security Affairs G. Warren Nutter noted the encouraging JCS report on the RVNAF and drew attention to the importance of the local forces and National Police. He asked for an assessment of the capabilities of these forces to regain control where pacification had been disrupted. He also requested an assessment of enemy capabilities in the coming months, including the possibility of another enemy "high point" in the fall. A week later, on 13 July, Secretary Laird observed the progress of the RVNAF, as evidenced by the current battlefield success and stressed the importance of continuing this progress. To that end, he asked Admiral Moorer for a review of several areas relating to the morale, training, and overall combat effectiveness of the RVNAF.⁴¹

(C) The Joint Chiefs of Staff responded immediately to the question of enemy capabilities. Yes, they told the Secretary on 14 July, the enemy could initiate a major offensive in Military Region 1 as well as "a terror/sapper campaign" by October.⁴²

40. (S-EX) JCSM-303-72 to SecDef, 29 Jun 72, Encl to JCS 2472/819-3, 29 Jun 72, JMF 911/495 (5 May 72) sec 2.

41. (S) Memo, ASD(ISA) to CJCS, 6 Jul 72, Att to JCS 2472/819-4, 7 Jul 72; (S) Memo, SecDef to CJCS, 13 Jul 72, Att to JCS 2472/819-6, 14 Jul 72; JMF 911/495 (5 May 72) sec 3.

42. (TS) JCSM-327-72 to SecDef, 14 Jul 72, App to JCS 2472/819-5, 21 Jul 72, JMF 911/495 (5 May 72) sec 3.

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(C) With regard to the assessment of the RVNAF, the Joint Chiefs of Staff combined their replies to both the Secretary and the Assistant Secretary into one submission on 12 August. They reported that "the status of personnel, morale, training, and unit readiness within RVNAF and local force units appears to be good." Moreover, efforts then underway to improve problem areas promised further improvement. They found manpower resources adequate to meet personnel replacements and to support the authorized force structure and noted that training problems were being solved in a number of ways. Officer and NCO output had increased; mobile training teams had been used to re-equip and retain several ARVN units; and new equipment training teams had rapidly introduced new weapons and capabilities into the RVNAF, though some problems remained in technical areas. Individual unit performance in the ARVN and VNMC varied widely, but most units performed well. Overall, the Joint Chiefs of Staff considered the RVNAF "a generally effective, combat-ready force" and thought the outlook good for continued improvement. They also reported that local forces and National Police could perform their missions although some limitations persisted. They expressed reservations about the effectiveness of interdiction in the Delta, but noted that US advisers were making extensive efforts to emphasize coordinated riverine operations.⁴³

(C) Meantime, on 12 July 1972, Dr. Kissinger, at the President's request, had asked for a reexamination of the need for more "nationally recruited mobile reserve

43. (S-EX) JCSM-363-72 to SecDef, 12 Aug 72, Encl to JCS 2472/819-10, 9 Aug 72, JMF 911/495 (5 May 72) sec 3.

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units" in South Vietnam. Such units, Dr. Kissinger suggested, would be similar to the RVN Marine and airborne divisions and could be created by phasing out some existing units at a later date. "The eventual objective would be to increase the proportion of the mobile reserves in the RVNAF structure." Such a possibility had first been raised by the working group that had reviewed US military assistance for the RVNAF in response to the President's request at the time he approved Project ENHANCE.⁴⁴ The working group had reported that "the field commander" favored "continuing and expanding the concept of employing regular divisions outside their normal Corps areas" as a further means of enhancing South Vietnamese capabilities. Subsequently, Assistant Secretary Nutter requested Admiral Moorer's views on this matter raised by the President, suggesting the following possible "options": (1) activation of a new, nationally recruited mobile reserve division offset by deactivation of a territorially based one, (2) steps to upgrade one to three existing divisions to give them greater mobility, and (3) addition of one regiment to the Marine and airborne divisions.⁴⁵

(C) The Joint Chiefs of Staff replied on 26 July that there already was a "salutary trend toward more flexible and mobile mode of operations by the RVNAF

44. See p. 494-495.

45. (S) Memo, Dr. Kissinger to SecDef, 12 Jul 72; (S) Memo, ASD(ISA) to CJCS, 19 Jul 72; both Atts to JCS 2472/819-7, 19 Jul 72, JMF 911/495 (5 May 72) sec 3. For the working group's consideration of this matter, see p. F-2 of Att to (TS) CM-1900-72 to SecDef, 2 Jun 72, Att to 1st N/H of JCS 2472/819, 2 Jun 72, same file, sec 1.

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within the existing structure as a direct result of the operational pressures generated by the recent enemy offensive." As for the possible options suggested by Mr. Nutter, they dismissed the first because of disruption to ongoing programs and cost. The third, although preferable to the first, also had significant disadvantages, and the Joint Chiefs of Staff favored the second option as the most productive long-term approach. They told Secretary Laird, however, that "the evolutionary process of upgrading RVNAF divisions is more desirable than any of the options considered." Rather than initiate "major organizational and structural changes," they preferred to proceed with current programs to improve all the RVNAF divisions.⁴⁶

(C) Eventually, the President reviewed the question of additional national mobile reserves for the RVNAF and decided on 24 October 1972 that this matter should be discussed with the South Vietnamese. He set forth a number of specific points to be raised in the discussions, but no final agreement on the issue had been reached by the time of the cease-fire agreement in January 1973.⁴⁷

(U) In following the progress of the RVNAF, Secretary Laird was also interested in the role of the US advisers in South Vietnam and the extent to which the South Vietnamese forces depended on them. "Our efforts in South Vietnam," he told the Joint Chiefs of Staff on 26 August 1972, "cannot be considered successful until US advisers may leave without endangering the goals of Vietnamization." He wanted US advisers assigned only

46. (S) JCSM-343-72 to SecDef, 26 Jul 72 (derived from JCS 2472/819-8), JMF 911/495 (5 May 72) sec 3.

47. (S) Extracts of NSDM 193, 24 Oct 72, JMF 001 (CY 1972) NSDMs, sec 2.

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where necessary and to duties that could not be performed by the South Vietnamese. He asked for a review of the advisory situation with special attention to changes required by the North Vietnamese offensive and subsequent events.⁴⁸

(C) The Joint Chiefs of Staff gave the Secretary their review on 6 October. In general, they found that the role of the US advisers with the RVNAF had not changed fundamentally since 30 March 1972 although emphasis had shifted temporarily to support of combat operations. They also observed that the delivery of Project ENHANCE equipment necessitated continuous adjustments to insure effective operation and maintenance of this materiel as US force levels declined. Further, the Joint Chiefs of Staff continued, the RVNAF had performed well with "minimum advisory assistance" in insurgency type operations; in conventional warfare, however, the South Vietnamese, though improving, were still not equal to the North Vietnamese. Therefore the Joint Chiefs of Staff believed that US advisers might be necessary as long as the North Vietnamese invasion and insurgency continued at current levels. "The US advisory presence," they concluded, "represents relatively inexpensive insurance against the loss of substantial investment. This presence must be continued at an appropriate level for the foreseeable future."⁴⁹

48. Memo, SecDef to CJCS, 26 Aug 72, Att to JCS 2472/837, 29 Aug 72, JMF 911/145 (26 Aug 72).

49. (S) JCSM-445-72 to SecDef, 6 Oct 72, Encl to JCS 2472/837-1, 13 Sep 72, JMF 911/145 (26 Aug 72).

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Further Force Structure Changes

(C) The massive infusion of equipment to the South Vietnamese forces under ENHANCE and ENHANCE PLUS necessitated additional adjustments in the RVNAF structure. In early August 1972, COMUSMACV and the JGS began a review of the RVNAF structure for FY 1973-1974. Pending completion of the review, they identified additional spaces needed to support Project ENHANCE, and the Joint Chiefs of Staff relayed these requirements to the Secretary of Defense on 24 August 1972. Included were the following 5,489 new spaces:

<u>ARVN</u>	Spaces
Add three 175mm artillery battalions	1,872
Add two M-48 tank battalions	1,374
Add two air defense artillery battalions	898
Provide 141 TOW weapon teams	630
(note: Only 100 under PROJECT ENHANCE)	
 <u>VNAF</u>	
Add five F-5A aircraft	65
Add one CH-47 helicopter squadron	307
 <u>VNN</u>	
Add three WHECs	462
Add four PCFs	0
Activate Third Flotilla Headquarters	16
Increase radar site spaces	225
(note: Not PROJECT ENHANCE)	
 TOTAL	<hr/> 5,849

To keep within the still binding 1.1 million-man ceiling, they proposed appropriate trade-offs, including: inactivation of 177 Popular Force Platoons and associated personnel (5,146 spaces); inactivation of one River Assault Group and two River Interdiction Divisions (430 spaces); and reduction of Viper craft personnel (273 spaces).⁵⁰

50. (TS) MJCS-283-72 to SecDef, 24 Aug 72, Att to JCS 2472/796-6, 25 Aug 72, JMF 911/535 (12 Jan 72).

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(C) Secretary Laird approved these new spaces and the accompanying trade-offs as "one optional course of action" on 3 September. He observed, however, that the need for territorial forces would be great because of the setbacks in pacification caused by the enemy offensive. Consequently, he authorized, as a second option, a temporary surge in RVNAF strength beyond 1.1 million rather than immediate reduction in the Popular Forces. He did not want RVNAF performance in the current heavy fighting or restoration of pacification losses to be impeded by "short-term" manpower shortages resulting from the long-term 1.1 million-man ceiling. Secretary Laird also believed that the ongoing FY 1973-1974 RVNAF structure review might be the basis for important structural changes, and he urged consideration of the manpower questions associated with improving the reserve deployment capability of ARVN divisions. The discontent at village level caused by upgrading Regional and Popular Forces, the political effects of GVN manpower policies, and the possibility of releasing some veteran RVNAF soldiers for the contributions they could make in the civilian sector should also be considered. The Secretary looked forward, he said, "to reviewing recommendations concerning RVNAF force structure with the expectation that implementation of these recommendations may be the final steps of the Vietnamization process." In relaying this decision to CINCPAC, the Joint Chiefs of Staff repeated the Secretary's instruction that the performance of the RVNAF not be impeded by short-term adherence to the 1.1 million ceiling--a level designed "for the longer term."⁵¹

51. (S) Memo, SecDef to CJCS, 8 Sep 72, Att to JCS 2472/796-7, 11 Sep 72; (TS) Msg, JCS 6840 to CINCPAC, 201139Z Sep 72; JMF 911/535 (12 Jan 72).

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(C) Despite the emphasis on ENHANCE and ENHANCE PLUS equipment for the regular South Vietnamese forces, as well as accompanying force structure adjustments, the Secretary of Defense did not want to "lose sight of the proper position" of the local forces in South Vietnam. The Regional and Popular Forces had made "significant contributions in repulsing last year's invasion," he told Admiral Moorer on 11 January 1973, and their value to the pacification effort was well recognized. The Secretary asked Admiral Moorer to insure that the FY 1973-1974 RVNAF structure review maintained the local forces "at an appropriate level with an adequate level of support."⁵²

(C) On 24 January 1973, the day following the announcement of an agreement to end the war,⁵³ the Joint Chiefs of Staff informed the Secretary of Defense that the equipment provided by Projects ENHANCE and ENHANCE PLUS could be incorporated into the RVNAF structure without exceeding the 1.1 million-man ceiling. Naturally, however, some adjustment was necessary. The most important changes stemmed from the 600 additional aircraft furnished to the VNAF under ENHANCE PLUS, increasing the VNAF from 56 to 66 squadrons. This increase included the addition of five fighter-attack squadrons, five helicopter squadrons, one maritime air patrol squadron, and one training squadron, coupled with a reduction of two airlift squadrons, resulting in the net increase of ten. Proposed force adjustments to support the added aircraft as well as other new equipment supplied by Projects ENHANCE and ENHANCE PLUS, while at the same time meeting the 1.1 million-man ceiling by the end of FY 1973, were as follows:

52. (S) Memo, SecDef to CJCS, 11 Jan 73, Att to JCS 2472/796-8, 13 Jan 73, JMF 911/535 (12 Jan 72).

53. See Chapter 13, pp. 691-692.

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	Approved FY 1973 Strengths	Proposed Changes	Proposed Adjusted FY 1973 End Strengths
ARVN	450,367	-419	449,948
VNAF	61,453	+3,047	64,500
VNN	40,931	-816	40,115
VNMC	14,245	+110	14,355
RF	327,261	-1,922	325,339
PF	222,648	-16,905	205,743
	<u>1,116,905</u>	<u>-16,905</u>	<u>1,100,000</u>

(C) With respect to the Secretary's 11 January admonition regarding the proper position of the local forces, the Joint Chiefs of Staff advised Mr. Laird that the Joint General Staff and COMUSMACV had reviewed the proper mix of regular and territorial forces. They had examined the 5,146 reduction in the Popular Forces approved by the Secretary as one course of action in September and determined that 5,146 miscellaneous low-priority spaces from non-combat RVNAF units could be substituted instead. Therefore planned reduction in the local forces during FY 1973 would be limited to the 16,905 Popular Force spaces identified the previous July as a result of the FY 1973 RVNAF structure review,⁵⁴ and 1,922 miscellaneous low-priority Regional Force spaces. These actions would result in an adjusted FY 1973 territorial force strength of 531,082, and a net reduction of 16,044 over the previous fiscal year.⁵⁵

(C) Meantime, COMUSMACV and the Joint General Staff had completed the FY 1974 RVNAF structure review. General Weyand submitted the results to CINCPAC on 27 January 1973, the day the Vietnam agreement was signed in Paris,⁵⁶ and the Pacific commander, in turn,

54. See above, pp. 483-484.

55. (S) JCSM-39-72 to SecDef, 24 Jan 73, Encl to JCS 2472/852, 23 Jan 73, JMF 911/372 (3 Jan 73) sec 1.

56. See Chapter 13, pp. 694-695.

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relayed them to the Joint Chiefs of Staff on 6 February 1973. In this review, COMUSMACV and the Joint General Staff recapitulated the RVNAF structure changes made or proposed for FY 1973, including those needed to incorporate the Project ENHANCE and ENHANCE PLUS equipment into the RVNAF, and set forth changes for FY 1974. The latter were limited to readjustments to streamline existing support organizations and improve management capabilities.⁵⁷

(C) The Joint Chiefs of Staff found the proposed force structures for both fiscal years acceptable and requested the Secretary of Defense to approve them on 27 February 1973. The specific figures were as follows:

	FY 1973 [*] <u>Approved</u>	FY 1973 <u>Changes</u>	FY 1973 <u>Adjusted Strength</u>	FY 1974 <u>Changes</u>	FY 1974 <u>Adjusted Strength</u>
ARVN	450,367	- 1,414	448,953	+ 670	449,623
VNAF	61,453	+ 3,054	64,507	+ 402	64,909
VNN	40,931	- 1,189	39,742	+ 439	40,181
VNMC	14,245	+ 157	14,402	+ 36	14,438
RF	326,508	- 1,947	324,561	0	324,561
PF	223,401	-17,373	206,028	0	206,028
AWAITING DISTRIBUTION		+ 1,807 ^{**}	1,807 ^{**}	-1,547	260
	1,116 905	-16,905	1,100,000	0	1,100,000

*Included temporary over-ceiling authorization of 16,905 spaces

**1,807 additional trade-off spaces were identified for distribution in FY 1974 and the future pending requirements

These changes, the Joint Chiefs of Staff told the Secretary, "essentially constitute the final stages of Vietnamization and provide the Government of the RVN with a strong, well-balanced military force."⁵⁸

57. (TS) Ltr, COMUSMACV to CINCPAC, 27 Jan 73; (TS) Ltr, CINCPAC to CJCS, 6 Feb 73; Atts to JCS 2472/852-1, 9 Feb 73, JMF 911/372 (3 Jan 73) sec 1.

58. (TS) JCSM-76-73 to SecDef, 27 Feb 73, Encl to JCS 2472/852-2, 23 Feb 73, JMF 911/372 (3 Jan 73) sec 2.

(U) With these recommendations by the Joint Chiefs of Staff (which the Secretary of Defense formally approved on 15 May 1973), the US program to improve the armed forces of the Republic of Vietnam was, for all practical purposes, complete. Moreover, it was with these forces recommended by the Joint Chiefs of Staff in February 1973 that the Republic of Vietnam faced the uncertainties of the post-armistice period. The Vietnam agreement⁵⁸ required withdrawal of all US military forces from Vietnam by 28 March 1973 except for a 50-man Defense Attache Office and forbade the introduction of any additional military equipment into South Vietnam. The Republic of Vietnam could replace all existing military equipment on a one-for-one basis, and the United States would continue military assistance to the Republic of Vietnam within the terms of the agreement. In addition, the United States would maintain a large civilian contractor advisory force in South Vietnam, but the great care and attention to RVNAF improvement would no longer be possible with the removal of the US military presence. The primary goal of the improvement program, ever since its initiation in 1968, had been the creation of a RVNAF capable of standing on its own, and now the ultimate test of its success was at hand.

58. For the terms of the Vietnam Agreement and the resulting US military structure in South Vietnam, see Chapter 13.

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TABLE 7

RVNAF Assigned Strengths, January 1972-January 1973

	<u>ARVN</u>	<u>VNN</u>	<u>VNAF</u>	<u>VNMC</u>	<u>RVNAF</u>
Jan 72	415,536	43,122	49,342	14,381	1,052,642
Feb 72	417,373	43,144	49,152	14,327	1,051,431
Mar 72	421,263	42,915	49,332	15,411	1,056,380
Apr 72	427,049	42,790	50,379	15,277	1,061,378
May 72	437,215	42,780	50,326	15,775	1,070,042
Jun 72	456,620	43,505	50,160	17,681	1,097,218
Jul 72	460,419	44,076	48,817	17,391	1,099,299
Aug 72	464,838	42,842	49,454	16,886	1,097,122
Sep 72	466,709	42,837	50,539	16,674	1,097,157
Oct 72	467,362	42,726	51,629	17,179	1,098,735
Nov 72	461,045	42,429	50,853	17,100	1,091,858
Dec 72	458,473	42,136	51,629	16,128	1,089,882
Jan 73	452,430	42,086	54,349	14,879	1,085,703

	<u>Regional Force</u>	<u>Popular Force</u>
1 Jan 72	283,974	246,314
1 Jul 72	300,646	227,950
1 Jan 73	300,865	218,908

Source: (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, pp. C-18 - C-22.

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CHAPTER 10

PACIFICATION AND POLITICAL DEVELOPMENTS, 1971-1972

(U) The United States had recognized early in its combat involvement in Vietnam that military support and assistance alone would not insure the survival of a free government in South Vietnam. It had been readily apparent that the United States would also have to help the South Vietnamese in the development of political strength and economic stability. To that end, the United States began to assist the Republic of Vietnam in a variety of programs loosely grouped under the general title of "pacification."

(U) In the years 1965-1966, US efforts in Vietnam were primarily focused on the military situation, and support of pacification was somewhat haphazard with responsibility for US programs divided between COMUSMACV and the US Ambassador in Saigon. It was not until May 1967 that President Johnson assigned COMUSMACV operational direction for all US support of South Vietnamese pacification efforts under the overall responsibility of the US Ambassador in Saigon. To carry out this mission, the President directed the establishment of the position of Deputy to COMUSMACV for Civil Operations and Rural Development Support (CORDS) to be filled by a civilian with the rank of ambassador.

(U) The improved combat situation in 1968 allowed both the Republic of Vietnam and the United States to devote increased attention to pacification. With US encouragement, the South Vietnamese launched a series of plans integrating all pacification activities into a single campaign. These plans, prepared on an annual

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basis beginning in 1969, had eight major objectives: territorial security; protection of the people from terrorism; increased self-defense capabilities for the local population; improved local administration; greater national unity; a "brighter life" for war victims; an increased information effort; and improvement of the rural economy. Programs to accomplish these objectives covered a wide spectrum. Those to improve local security included strengthening the Regional and Popular Forces to protect hamlets and the surrounding areas, creation of the People's Self Defense Force to give the local population added protection, and a buildup of the South Vietnamese National Police. In addition, there were the Chieu Hoi Program to rally Viet Cong to the allegiance of the Republic of Vietnam and the Phoenix or Phung Hoang Program to identify and eliminate the Viet Cong infrastructure. To increase national unity, aid war victims, and build the rural economy, the Republic of Vietnam with US support pursued a variety of activities including refugee assistance and resettlement, compensation to veterans and the dependent family members of soldiers killed in combat, land reform, and social, educational, agricultural, and health improvement programs.

(U) To monitor the progress of pacification, the United States and the Republic of Vietnam relied on the Hamlet Evaluation System (HES), a method of assessing the security of all hamlets in South Vietnam. Under the HES, first introduced in 1967, US advisers rated the hamlets in their areas on some 18 different indicators and then assigned each a security rating on a descending scale from Category A, completely secure, to Category E, Viet Cong-controlled. At the beginning of 1968, 67.2 percent of all South Vietnamese hamlets were

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rated "relatively secure" (Categories A, B, and C), but by December 1970 this figure had risen to 95.1 percent while 84.6 percent of the hamlet population lived in fully secure areas (Categories A and B), indicating a significant success in the pacification effort.¹

(U) The Joint Chiefs of Staff had little actual involvement in pacification. COMUSMACV directed overall US support for the program and he, of course, reported through CINCPAC to the Joint Chiefs of Staff on matters of military policy and operations. But with respect to his pacification responsibilities, COMUSMACV was under the supervision of the US Ambassador in Saigon. The great majority of pacification activities involved economic, social, and political matters, areas beyond the purview of the Joint Chiefs of Staff. In Washington, US participation in pacification efforts was handled by the Department of State, the US Agency for International Development, the US Information Agency, the Office of the Secretary of Defense, and the Central Intelligence Agency, and the normal channel to COMUSMACV was through the US Ambassador in Saigon rather than the Joint Chiefs of Staff. The Joint Staff was usually kept informed on pacification actions, and COMUSMACV furnished the Joint Chiefs of Staff with information copies of South Vietnamese pacification plans. But despite their limited direct involvement, the Joint Chiefs of Staff at all times recognized the importance of the pacification effort and gave it their full support.

1. For a more detailed account of the pacification in South Vietnam for the period 1965-1970, see The Joint Chiefs of Staff and the War in Vietnam, 1960-1968, Chapters 27, 38, 46, and 52 and The Joint Chiefs of Staff and the War in Vietnam, 1969-1970, pp. 415-451.

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Planning for 1971

(C) The beginning of the year 1971 found the Republic of Vietnam in the middle of a "Supplementary Pacification and Development Campaign" covering the four-month period November 1970 through February 1971. This special plan was a transitional device to shift pacification planning from a calendar to a lunar year (the basis of Vietnamese fiscal planning). Besides this administrative function, the supplementary plan provided impetus to complete 1970 goals and prepare for implementation of the 1971 plan, focusing attention on a nationwide effort against the Viet Cong infrastructure (VCI)--elimination of all Viet Cong-controlled hamlets in MR 4, a special information and retraining program, and stockpiling and allocation of resources to meet pacification needs throughout 1971.²

(C) On 7 January 1971, COMUSMACV submitted to the Joint Chiefs of Staff the 1971 RVN pacification plan, covering the lunar year 1 March 1971 through 28 February 1972. Whereas previous plans had been a joint MACV/CORDS/South Vietnamese effort, the South Vietnamese had taken the lead in preparation of this new plan. Moreover, they had dropped the word "pacification" from the title, believing that it connoted wresting the people from enemy control, a process they considered virtually complete. Instead, they entitled the new document the "1971 Community Defense and Local Development Plan" (referred to hereafter as the 1971 Plan). It reflected a shift in emphasis from security operations to political and economic development. In the 1971 Plan, the South Vietnamese consolidated the eight

2. (TS-GP 1) (C) Plans and Analysis Div, J-3, PAD-VSUM 1-71, "A Periodic Summary of Progress Toward Vietnamizing the War," 24 Mar 71, JCS Hist Div files. (S-NOFORN-GP 1) COMUSMACV Command History, 1971, (C) p. VII-6.

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objectives of the earlier plans under the broad areas of local self-defense, local self-government, and local self-development. All on-going pacification programs continued, but were grouped together under these three objectives to emphasize the primary purpose of the entire effort. Local self-defense encompassed territorial security; improvement of the Regional and Popular Forces, the People's Self Defense Force, and the National Police; and the Chieu Hoi and Phung Hoang activities. Local self-government included existing information and youth programs as well as the new People's Administration Program to train and improve local government officials, and local self-development comprised programs dealing with refugees, veterans, land reform, agriculture and fishing improvement, education, health, and public works. Finally, the 1971 Plan had two special programs: one to treat the problems of the growing population in the cities; and another to insure that special attention was devoted to the particular needs of ethnic minorities.³

(C) The organization to accomplish pacification tasks in 1971 had evolved over the previous years. On the South Vietnamese side, the Central Pacification and Development Council had ultimate responsibility. President Thieu headed the Council and membership included the ministers and heads of all involved South Vietnamese ministries and agencies. Below the Central Council were similar bodies in each Military Region, province, district, and village or hamlet. On the US side, COMUSMACV's responsibility for all US pacification efforts was carried out by his Deputy for Civil Operations and Rural Development Support (CORDS). In

3. (C) Ltr, COMUSMACV to JCS et al., 7 Jan 71; (C) RVN Community Defense and Local Development Plan, 1971, n.d.; CJCS File 091 Vietnam, Feb-Mar 71 (Bulky).

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Saigon, the CORDS organization comprised 11 directorates, composed of both military and civilian personnel. These directorates advised the South Vietnamese ministries and performed staff and administrative functions, and CORDS had similar advisory organizations at the Military Region and provincial levels, again composed of both military and civilian personnel, to assist local South Vietnamese officials.⁴

Reduction of US Personnel

(C) Both the continuing withdrawal of US forces from South Vietnam as well as the increasing strictures on funds for the war began to affect US support for pacification in 1971. The number of US military advisers assigned to pacification duties peaked in mid-1970 at 6,465. But accelerated troop deployments in 1971 forced a step-up in Vietnamization of the CORDS advisory effort. Accordingly, the number of US military CORDS advisers dropped to 4,924 by 30 June 1971 and to 2,671 by the end of the year, and tasks of the remaining military advisers shifted during the year to training of their Vietnamese counterparts. In addition, Vietnamization of the Hamlet Evaluation System began on 1 July 1971 when the South Vietnamese took over reporting from US advisers in 39 districts, and by the end of 1971, the South Vietnamese reported in 103 districts.⁵

(C) The US civilian advisory role in pacification was also reduced. On 3 June 1971, Dr. Kissinger informed the Secretaries of State and Defense that the President wanted "a significant reduction" in the

4. (S-NOFORN-GP 1) COMUSMACV Command History, 1971, (C) pp. VII-1-VII-3. Hearings, "US Assistance Programs in Vietnam," Subcom of H. Com on Gov't Operations, 92d Cong, 1st sess, pp. 129, 179.

5. (S-NOFORN-GP 1) COMUSMACV Command History, 1971, (C) pp. VII-3 - VII-5.

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number of civilian employees of both the Department of Defense and the US Agency for International Development (AID) in South Vietnam. Specifically, he had asked for a study of ways to achieve a reduction of one-third by the end of FY 1972.⁶

(C) Although the President had not asked that the study address personnel within the CORDS organization, this question quickly arose. For, the following day 4 June 1971, the US mission in Saigon proposed to reduce the civilian CORDS strength from the current level of 823 to 662 for a 19 percent reduction by the end of FY 1972. Subsequently, the NSC Ad Hoc Group on Vietnam prepared a study on civilian reductions in South Vietnam that called for the reduction of 819 AID employees as well as 308 US civilian CORDS personnel by 30 June 1972. This proposal, lowering the CORDS civilian personnel level from 823 to 515 amounted to a 37 percent reduction, almost doubling the figure suggested by the US mission in Saigon.⁷

(C) Within the NSC system, representatives of the Joint Chiefs of Staff and the Office of the Secretary of Defense opposed the CORDS civilian reductions as proposed by the NSC Ad Hoc Group on Vietnam. Later, in discussions with Dr. Kissinger, Ambassador Bunker proposed a compromise, lowering CORDS civilian strength from 823 to 590, a reduction of 28.2 percent during FY 1972. General Abrams found this reduction acceptable, and the President approved it on 10 September 1971. The reduction of CORDS civilian advisers

6. (C-GP 4) Memo, Dr. Kissinger to Secys State and Def, 3 Jun 71, Att to JCS 2472/755, 4 Jun 71, JMF 911/101 (3 Jun 71).

7. (TS-GP 1) Briefing Book, CJCS WESTPAC Trip, 2-14 Nov 72, (C) "Future Organization for Pacification," J-5 Files.

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then proceeded and CORDS civilian strength stood at 728 by the end of 1971.⁸

(C) Meantime, the United States had undertaken a review of the future organization for the CORDS program. This effort began when Dr. Kissinger discussed this matter as well as the possible reduction of US civilian personnel involved with US officials when visiting Saigon in the early summer of 1971. Subsequently, the Chairman of the NSC Ad Hoc Group on Vietnam, Ambassador William H. Sullivan, and the Deputy US Ambassador to South Vietnam, Samuel D. Berger, agreed to have a mission task force in Saigon review the organization and future staffing of CORDS. The two officials further agreed that an interagency Washington group would visit Saigon in November to review the findings of the mission task force and submit final recommendations on CORDS to the President.⁹

(C) The interagency group from Washington, including a member from the Counterinsurgency Operations Division, J-3, Joint Staff, did go to Saigon during the period 14-19 November 1971 to review the study of the mission task force. The basic recommendation of the study was the retention of the CORDS organization under COMUSMACV as the single-manager control agency for all US support of pacification until the end of FY 1973 with modified internal structure and reduced manning. The mission task force also proposed a further assessment of the CORDS organization in May 1973 in light of the situation at that time. While there was some disagreement over the proposals for modification

8. Ibid. (S-NOFORN-GP 1) COMUSMACV Command History, 1971, (C) p. VII-5.

9. (C-GP 4) Memo, ASD(ISA) to CJCS, "Study of Future CORDS Advisory Program," 13 Jul 71; (C) DJSM-1728-71 to CJCS, 15 Sep 71; JMF 911/319 (1 Jul 71).

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of the CORDS structure, the Washington interagency group accepted the basic recommendation to retain CORDS in the present form. Available records do not reveal any recommendation by this interagency group to the President, apparently reflecting the consensus that no change was needed at that time.¹⁰

(C) The only significant change in the CORDS organization during 1971 was the changeover of the Deputy COMUSMACV for CORDS position from a civilian to a military officer. Ambassador William E. Colby, who had served as the MACV Deputy for CORDS since November 1968, left Vietnam in the summer of 1971, and General Abrams and Ambassador Bunker recommended that his replacement be General Fred Weyand, USA, the current Deputy COMUSMACV. As General Abrams explained to Admiral Moorer, General Weyand was "unusually effective" with the Vietnamese and could assume the CORDS function as an additional duty. CINCPAC endorsed this proposal, observing that as the US combat role in South Vietnam continued to decline, General Weyand's present responsibilities would decrease allowing him time for the CORDS mission.¹¹

(C) Admiral Moorer approached the Secretary of Defense informally on this matter, and Mr. Laird agreed. On 1 October 1971, he informed Admiral Moorer: "I accept your judgment that General Weyand should be able to assume the additional duty of Deputy COMUSMACV

10. (C) Report by Spec Interagency Task Force to the Mission Council, "The Future of CORDS in Vietnam," 1 Nov 71, CJCS File 323.3 MACV, Nov 70-Dec 72 (separate section). (C-GP 4) DJSM-2187-71 to CJCS, 3 Dec 71, JMF 911/319 (1 Jul 71).

11. (S-GP 1) Msg, COMUSMACV 08819 to CINCPAC and CJCS, 131201Z Sep 71; (S-GP 1) Msg, CINCPAC to CJCS, 142004Z Sep 71; CJCS File 323.3 MACV, Nov 70-Dec 72.

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for Civil Operations and Rural Development Support (CORDS). I therefore approve his appointment." Later that same month, General Weyand did become the Deputy for CORDS in addition to his duties as Deputy COMUSMACV.¹²

(C) In early January 1972, the question of a further reduction of US AID personnel in the CORDS effort arose, dictated by budget constraints. Following discussions with Washington, Ambassador Bunker reluctantly accepted a reduction in the number of AID civilians for the FY 1972 ceiling to 540, in place of the 590 approved earlier by the President. General Abrams had objected to this reduction, and Ambassador Bunker promised him that any further cuts for FY 1972, 1973, or 1974 would be strongly resisted.¹³

(C) General Abrams informed the Joint Chiefs of Staff of this reduction in the AID civilian strength, stating that this action would restrict staffing in the areas of war victims, public safety, and technical support. On 26 January 1972, Admiral Moorer brought this matter to the attention of the Secretary of Defense. The pacification effort was essential to the Vietnamization program and the key to a stable government in Vietnam, he said, and unilateral reductions by the Agency for International Development endangered the organizational viability of CORDS. The Chairman emphasized his concern that General Abrams receive the interagency support necessary to build a stable government in South Vietnam. The Joint Chiefs of Staff

12. (S-GP 4) Memo, SecDef to CJCS, 1 Oct 71, CJCS File 323.3 MACV, Nov 70-Dec 72. (S-NOFORN-GP 1) COMUSMACV Command History, 1971, (U) p. A-1.

13. (C-GP 4) CM-1477-72 to SecDef, 26 Jan 72, CJCS File 323.3 MACV, Nov 70-Dec 72.

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were advising CINCPAC and COMUSMACV, Admiral Moorer told the Secretary, to continue to refer proposals to lower AID strength in CORDS to the US Ambassador for resolution, and Admiral Moorer recommended that the Secretary continue efforts with the Department of State and US Agency for International Development to insure CORDS the funding resources necessary to support properly "this critical program."¹⁴

Pacification in 1971

(C) Meantime, pacification efforts had proceeded. The 1971 Civil Defense and Local Development Plan set a territorial security goal of providing A or B security (under the HES rating system) for 95 percent of the total population of South Vietnam and eliminating all enemy-controlled hamlets. Although all organized forces of the Republic of Vietnam were charged with the task of keeping enemy forces away from the South Vietnamese people, the territorial forces--the Regional and Popular Forces, the People's Self-Defense Force and the National Police--had the principal responsibility for local security. During 1971, the regular RVN forces and remaining US forces moved away from local security operations, and regular force support of pacification consisted mainly of training the territorial forces, clearing operations in remaining Viet Cong strongholds and base areas, and interdiction of enemy supply routes. The performance of the territorial forces in 1971 showed mixed results. During the period March through December, Regional Force (RF) operations increased, but the percentage of operations

14. Ibid. (C-GP 4) Msg, JCS 2693 to CINCPAC (info COMUSMACV), 26 Jan 72.

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with enemy contact declined, and Popular Forces (PF) likewise had a low level of percentage of operations with enemy contact. By the end of calendar year 1971, the territorial security goal had not been met. In fact, by December 1971, only 84.3 percent of the population was rated in the AB category as compared with the goal of 95 percent.¹⁵ In reporting these statistics, COMUSMACV offered no explanation for this failure to achieve the security objective in 1971, but he did point out the reduction in enemy attacks-by-fire during the year and noted that only 10 Viet Cong-controlled hamlets remained. In addition, he expected that all Viet Cong hamlets would be eliminated by the expiration of the plan at the end of February 1972.¹⁶

(C) The People's Self Defense Force (PSDF), organized in 1968, was a volunteer militia made up of men and boys, either above or below draft age, and women. All served on a part-time unpaid basis and assisted in patrolling and guarding their own hamlets. The 1971 plan called for a PSDF of 4,000,000 members consisting of 1,500,000 combat members and 2,500,000 support members. These forces were to be trained, armed, and

15. In his 1971 history, COMUSMACV reported the AB population at 84.3 percent by the end of 1971 compared with 73.9 percent in January 1971. In his 1970 history, however, COMUSMACV had reported the percentage of AB population in December 1970 at 84.6. If one uses this latter figure, there was actually a slight decrease in the territorial security during 1971. See (S-NOFORN-GP 1) COMUSMACV Command History, 1971, (C) p. VII-11, and (S-NOFORN-GP 1) COMUSMACV Command History, 1970, (U) p. VII-22.

16. All information on pacification goals in 1971 is from (C) RVN Community Defense and Local Development Plan, 1971, n.d., CJCS File 091 Vietnam, Feb-Mar 71 (Bulky). All information on the conduct of pacification in 1971, except as otherwise stated, is from (S-NOFORN-GP 1) COMUSMACV Command History, 1971, (C) pp. VII-10 - VII-48 and H-1 - H-16.

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organized into teams in order to take a more active role in protection of their local villages and hamlets. The South Vietnamese National Assembly gave full financial support to the planned expansion, and strong recruitment and training programs were pursued. Consequently, the year saw significant progress toward meeting the PSDF goals, and by December 1971, the status of the PSDF was as follows:

	<u>Goal</u>	<u>Organized</u>	<u>Trained</u>
Combat PSDF	1,500,000	1,393,156	1,322,500
Support PSDF	2,500,000	3,035,980	2,508,101
Total	4,000,000	4,429,136	3,830,601
Teams	15,000	14,869	14,366

(C) The South Vietnamese National Police (NP) was the third force, together with the local forces (RF and PF) and the PSDF, charged with the provision of territorial security. Specifically, the NP had responsibility throughout South Vietnam for law enforcement; for maintenance of public order; for crime prevention, detection, investigation, and apprehension; and for disaster relief. The National Police, which had been established in 1962, had never proved an effective force. At the close of 1970, NP strength stood at approximately 88,000 and the 1971 Community Defense and Local Development Plan set a force goal of 122,000 with all personnel "well trained to include political education."

(C) President Nixon was especially interested in the National Police and in early 1971 asked Sir Robert Thompson, the British expert on counterinsurgency, to go to South Vietnam and study the National Police.¹⁷ Sir Robert visited during the period January-March

17. For a previous mission of Sir Robert Thompson to Vietnam at the request of President Nixon, see The Joint Chiefs of Staff and the War in Vietnam, 1969-1970, pp. 173-174.

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and presented his report to the US Embassy in Saigon on 29 March 1971. He saw South Vietnam in a transition period between a destructive war and a working peace with a need to change emphasis toward restoration of discipline and moral fiber of the nation. Consequently, an effective police force was of considerable importance for rebuilding discipline and correction of the moral erosion caused by the long war. Sir Robert recommended, among other things: the independence of the National Police from political influence; the police station as the basic unit of the police force; improvement in the quality of the NP personnel; and assignment of responsibility for internal security intelligence in South Vietnam to the National Police.

(C) Undoubtedly as a result of President Nixon's interest and Sir Robert's report, South Vietnam gave increased attention to the National Police during 1971. In March, the National Police was reorganized into a National Police Command, and in June, the Republic of Vietnam established a requirement for police operations centers at the national, regional, provincial, and district levels. Development of these operational centers was underway by September 1971.

(C) Throughout its short existence the National Police had been plagued by a lack of personnel primarily because available manpower was drafted into the RVN military forces. This situation was remedied briefly in early 1971 when the Republic of Vietnam allowed the National Police the opportunity, on a one time basis, to recruit 34,000 draft-age men. This recruitment was subsequently cancelled in April 1971, but not before 28,000 personnel had been secured for the National Police.

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(C) Despite the emphasis placed on the NP, not all problems were removed. The quality of the recruits was generally low, leadership was weak at middle and lower levels of the organization, and training remained inadequate. The combination of these factors was reflected in the poor performance of the NP in remote areas of the country. Nonetheless, the National Police did build up its strength and organization during the year and assumed increased responsibility for local security. By the end of December 1971, the NP strength stood at 113,686.

(C) In early 1971, the question of additional US support for the National Police had come to the attention of the Joint Chiefs of Staff. In December 1970, COMUSMACV's Deputy for CORDS had reviewed South Vietnamese internal security problems and recommended to the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the Chief of Staff of the Army, and others that the National Police be included in some of the special assistance programs currently provided to RVNAF personnel, such as food supplements and food allowances during training. No action resulted on this proposal, and on 13 February 1971, COMUSMACV urged CINCPAC that these recommendations be approved for funding for the National Police under the US AID/DOD Realignment Programs for FYs 1971, 1972, and 1973. CINCPAC concurred in the recommendation and passed it to the Joint Chiefs of Staff a week later.¹⁸

(C) On 23 April, the Joint Chiefs of Staff advised the Secretary of Defense that the COMUSMACV proposal

18. (S-GP 4) JCS 2472/737, 13 Apr 71, JMF 911/147 (3 Feb 71). (S-GP 4) Msg, CINCPAC to JCS, 20 Feb 71, JCS IN 31778.

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would have a positive effect on the performance of the National Police and would help advance local defense. But, whereas the field commanders favored full US support for the food support programs for FYs 1971 through 1973, the Joint Chiefs of Staff did not consider the proposal feasible in FY 1971, believing it too late to introduce it for that year. Rather, they recommended US support for FY 1972 through 1974 on a sliding scale of 100 percent for FY 1972, 70 percent in FY 1973, and 30 percent in FY 1974. Further, they recommended that the funding issue be resolved between the Departments of State and Defense.¹⁹

(C) Deputy Secretary of Defense Packard raised the matter with the Secretary of State on 10 June 1971, but the Department of State showed little enthusiasm for the proposal, and available records reveal no further action on this question.²⁰

(C) Since 1963, the Chieu Hoi (open arms) program had sought to wean Viet Cong members away from the insurgency and rally them to the allegiance of the Republic of Vietnam. This effort made extensive use of psychological operations to induce the enemy to rally and then the ralliers, known as the Hoi Chanh, received six to eight weeks of rehabilitation training at 51 centers located throughout South Vietnam. The Chieu Hoi program had been one of the most successful of the entire pacification effort, and by the beginning of 1971, the Republic of Vietnam claimed over 195,000 Hoi

19. (S-GP 4) JCSM-189-71 to SecDef, 23 Apr 71, Encl A to JCS 2472/737, 13 Apr 71, JMF 911/147 (3 Feb 71).

20. (S-GP 4) Ltr, DepSecDef to SecState, 10 Jun 71, Att to JCS 2472/737-1, 16 Jul 71; (C-GP 4) Ltr, USecState to DepSecDef, 22 Jul 71, Att to JCS 2472/737-2, 26 Jul 71; JMF 911/147 (3 Feb 71).

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Chanh. The 1971 Community Defense and Local Development Plan included an objective of 25,000 ralliers for the Chieu Hoi program, but it was soon obvious that this goal was too ambitious. At mid-year, the Republic of Vietnam lowered the objective to 20,000 ralliers, and the total number by the end of the year amounted to 20,357, a figure well below the 32,700 ralliers in 1970. The reason for the decline, COMUSMACV explained, was that, with the increased security of the population areas and the decline in the level of military contact, there was less opportunity for the enemy to rally. Moreover, the remaining VC were considered "hard core" and much less susceptible to inducement to change their loyalty.

(C) The most controversial of all the pacification efforts in South Vietnam was the Phung Hoang Program, or the Phoenix Program as it was originally named when introduced in 1968. This program attempted to identify and eliminate the communist leadership apparatus, the Viet Cong infrastructure (VCI), in order to protect the people of South Vietnam from communist terrorism. The Phung Hoang Program called for the identification and verification of key VC members and their elimination or "neutralization," through one of several means, including efforts to rally them to the Republic of Vietnam through the Chieu Hoi approach, to apprehend and detain them for proper legal prosecution, and, only as a final resort, to kill them. Unfortunately, the general public, both in South Vietnam and the United States, conceived elimination only as killing and abuses within the program added to frequent public criticism of the activity as one of political assassination. Although US personnel advised and assisted the South Vietnamese in this effort, they did not participate in the actual Phung Hoang operations--the capturing or killing of

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the VCI. Moreover, COMUSMACV had consistently attempted, through the influence of the US advisers, to discourage unlawful or inhumane conduct in the program.

(C) The 1971 Community Defense and Local Development Plan established a monthly objective of 1,200 VCI neutralizations throughout South Vietnam for a total of 12,000 by the end of 1971 and 14,400 by the completion of the plan on 29 February 1972. Included in this objective was provision that 50 percent of all neutralizations be "sentenced" VC, i.e. captured and brought to trial. The Phung Hoang operations proceeded apace and at the end of December 1971, the Republic of Vietnam reported 13,188 neutralizations. Thus the 1971 goal was met even though the total figure was well below that of the previous year.

(C) The CORDS staff evaluated the Phung Hoang effort during 1971 to determine areas for improvement. This study revealed that, from the national to the district level, there was no effective mechanism for coordination of information on the VCI nor were there secure repositories for intelligence. Consequently, the local population was reluctant to give information to the Phung Hoang centers. The CORDS study also concluded that the assigned South Vietnamese personnel were, generally, poorly qualified and motivated and that responsibility for carrying out the program had not been clearly established. Both General Abrams and Ambassador Bunker approved the CORDS conclusions and in October 1971, the United States presented the following recommendations to the Republic of Vietnam: a phased transfer of responsibility for the anti-VCI mission from the Phung Hoang centers to the National Police Command during 1972 accompanied by the withdrawal of US

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military advisory support; improvement of the intelligence coordination system of the National Police Command; and increased emphasis on the anti-VCI responsibilities of the province and district chiefs.

(C) On 2 December, the RVN Prime Minister issued a directive partially implementing the US recommendations. The Phung Hoang centers were retained, but the National Police would assume overall responsibility for the program during 1972. The Prime Minister also placed special emphasis on the Phung Hoang Program at all echelons in South Vietnam and directed wide and active publicity for the effort so that its importance would be recognized.

(U) The criticisms and accusations that had surrounded the Phung Hoang Program throughout its existence surfaced in hearings on US assistance programs in Vietnam held during July and August 1971 by a Subcommittee of the House Committee on Government Operations. Ambassador William E. Colby, Deputy to COMUSMACV for CORDS, testified on pacification and received a number of questions about the Phung Hoang aspects. How did he explain the reports of abuse and torture? Did the program combat terror with terror? Was the program used by the Republic of Vietnam against its political opponents? Why had not the number of VCI decreased despite all the reported neutralizations?

(U) Ambassador Colby explained the Phung Hoang objective and operations to the Subcommittee. The program, he said, did not combat communist terrorism with terror. Rather, it identified members of the VCI for apprehension and detention according to Vietnamese law. In essence, he said, the program was as good as the people who carried it out and he recognized that

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there had been abuses. These were the fault of individuals he continued, and not the program itself. Moreover, such abuses had been investigated and stopped by Vietnamese authorities when discovered. Mr. Colby admitted that it might be possible for the Republic of Vietnam to use the program against its political enemies, but he doubted that such an eventuality would occur. It was not contended, he further explained, that the total number of VCI decreased with the progress of neutralizations since replacement was constantly occurring within the communist apparatus.²¹

(C) In the spring of 1971, the Secretary of Defense had inquired whether currently approved reward and informant programs, which might be profitably used in pacification efforts, required stimulation. The Director of the Joint Staff informed the Assistant Secretary of Defense (International Security Affairs) on 7 May 1971 of the opinion of COMUSMACV, CINCPAC, and the Joint Staff that the effectiveness of these various programs had been satisfactory. The Secretary of Defense, however, was still not completely convinced. He told Admiral Moorer on 20 May:

We must adjust our efforts to interdict the flow of men and materiel by all practical means. Interdiction can and should include more than flying air sorties, performing ground cross-border raids, and conducting surveillance of water routes. I consider the location and capture of caches and elimination of Viet Cong freedom of movement an integral and essential part of the overall interdiction effort. It is a facet of interdiction which

²¹. Hearings, "US Assistance Programs in Vietnam" Subcmte of H. Cmte on Gov't Operations, 92d Cong, 1 sess, pp. 176-226.

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has the additional merit of being consistent with the longer-term capabilities of the Republic of Vietnam.²²

(C) After considering the views of both COMUSMACV and CINCPAC, Admiral Moorer furnished the Secretary a detailed assessment of the various US-supported informant reward programs in South Vietnam. The Chairman believed implementation of those programs had been satisfactory and that "adequate and propitious" stimulation of them was being "progressively achieved." Admiral Moorer pointed out to the Secretary that, at US suggestion, the Republic of Vietnam was considering initiation of high value rewards in both the Phung Hoang and Chieu Hoi efforts.²³

(C) The Republic of Vietnam did subsequently decide to implement such a program to improve Phung Hoang efficiency. Cash would be paid for the location of selected key VCI and greatly increased sums would go to units that captured targeted VCI. COMUSMACV planned to fund a pilot effort in four selected provinces beginning in November 1971. But several unfavorable press stories, labeling the project a "bounty system," caused the United States to reconsider and withdraw its financial support. Thereafter, high value rewards were never implemented for either the Phung Hoang or Chieu Hoi programs.²⁴

22. (S) Memo, ASD(ISA) to CJCS, "Informant Programs in the Republic of Vietnam," 10 Apr 71; (S-GP 4) DJSM-865-71 to ASD(ISA), 7 May 71; (S-GP 4) Memo, SecDef to CJCS, same subj, 20 May 71; JMF 911/211 (10 Apr 71).

23. (S-GP 4) CM-986-71 to SecDef, 17 Jun 71, CJCS File 091 Vietnam, Jun 71.

24. (S-NOFORN-GP 1) COMUSMACV Command History, 1971, (C) p. VII-23.

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(C) During 1971, the Republic of Vietnam moved ahead with efforts under the local self-government portion of the Community Defense and Local Development Plan. As will be described below, country-wide elections were held without incident for the Lower House of the National Assembly and for the presidency, and first-time elections took place in 12 villages and 203 hamlets that had previously been under Viet Cong control. A principal objective of the local self-government aspect of the 1971 plan was to train local leaders, and 13,632 village and hamlet officials received instruction at the National Cadre Training Center during the year. The institution of Province Mobile Assistance Teams was another hopeful development in 1971. The previous year, the province chief and the CORDS province team in An Gan Province in the Delta had initiated the practice of sending teams of province officials to visit and assist village and hamlet chiefs. This approach had proved so successful that the practice was extended to each Delta province and, in April 1971, the Republic of Vietnam directed the establishment of similar teams throughout the entire country.

(C) Other aspects of local self-government included a youth program and the People's Information Program. The latter publicized the entire Community Defense and Local Development plan with emphasis on the PSDF, Phung Hoang and Chieu Hoi operations, land reform, and veteran and refugee programs. But the information effort was judged a failure in 1971 because of poor performance by hamlet cadre and "election diversions." The youth program sought to organize the young people at the local, district, and province levels and develop them into useful citizens. Although goals were not completely accomplished, there were youth councils in 2,166 villages, 257 districts, and 47 provinces by the close of 1971.

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(C) The local self-development portion of the Community Defense and Local Development Plan comprised economic, social, and educational programs-- areas almost entirely beyond the domain of the military. The US forces in South Vietnam did, nevertheless, support and assist in these efforts.

(C) The Republic of Vietnam relied heavily on the Rural Development Cadre (RDC) to assist in carrying out the local self-development programs. The RDC, formed in 1965 and organized into paramilitary groups, was charged with motivating and organizing the local population to assume their own self-defense and to raise the living standards of the villages. With the improved security in the rural areas attained by 1971, the Republic of Vietnam reorganized the RDC into smaller groups of 10 persons and decreed that 50 percent of all the villages of South Vietnam would have such groups. Under the guidance of the village chief, these smaller groups assisted in local administration and development projects.

(U) In a country where uninterrupted war had continued for ten years, homeless persons had been a constant problem, and refugee disposition was a major part of the pacification effort. At one time or another between 1964 and early 1971, some 25 to 30 percent of the 17,500,000 people of South Vietnam had been homeless. In more specific terms, approximately 5,300,000 South Vietnamese had been disrupted by the war to date. This figure included, in round numbers, three and a half million refugees who had been displaced from their homes; one and a half million "war victims" who had been temporarily displaced, but were able to return to their homes; and over 200,000 South Vietnamese who had fled from Cambodia when the war

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spread there in 1970. By the beginning of 1971, the Republic of Vietnam, with US assistance, had paid refugee benefits to roughly 5,900,000, some having received benefits more than once.²⁵

(C) Refugees could never be completely eliminated as long as the war continued for the fighting always produced additional displaced persons. Although the decline in the intensity of the combat in 1969 and 1970 had brought some leveling off of the flow of refugees, the refugee program remained an important element of the 1971 Community Defense and Local Development Plan. Under the title "Brighter Life for War Victims," the 1971 document ambitiously called for the permanent resettlement or return to their villages of the refugees remaining at the end of 1970 as well as those who became homeless during 1971--a total number of persons estimated at 430,000. In addition, the Republic of Vietnam hoped to complete permanent resettlement of the remaining refugees from Cambodia.

(C) During 1971, the Republic of Vietnam gave the refugee effort greatly increased emphasis, budgeting triple the amount of the previous year for this purpose. From 1 March to 31 December 1971, about 260,000 refugees received full "return-to-village" allowances while some 127,116 others, who were unable to return to their original homes, received RVN assistance in settling elsewhere. Despite this progress, displaced persons remained to be settled at the end of 1971 as new refugees were generated in the continuing fighting. Over 60,000 resulted from the U Minh Forest

25. Hearings, War-Related Civilian Problems in Indochina, Pt I, Vietnam, Refugee Subcom of S. Com on the Judiciary, 92d Cong, 1st sess, pp. 5-59. Hearings, "US Assistance Programs in Vietnam," Subcom of H. Com on Gov't Operations, 92d Cong, 1st sess, pp. 2-6, 176-237.

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Operation in MR 4 during late 1970 and early 1971, and 65,000 persons, including 50,000 Montagnards, were relocated to safer areas in MR 2.

(C) The "Brighter Life for War Victims" also included benefits for South Vietnamese veterans and their dependents. In 1970, the Republic of Vietnam had enacted a law providing extensive benefits for disabled veterans, retired veterans, and the widows, orphans, and parents of deceased military personnel, and the 1971 Community Defense and Local Development Plan stressed effective implementation of this law. Efforts by the Republic of Vietnam during 1971 to improve the plight of veterans included: improvement of the system for paying pensions and special compensatory allowances, processing of approximately 175,000 more benefit cases than in 1970, development of rehabilitation programs, and construction of 1,587 housing units for disabled soldiers.

(C) South Vietnam was an agricultural country, and if it was to become truly independent and economically viable, effective land reform was essential. South Vietnam had proclaimed a series of ambitious programs in this regard, but the actual transfer of land had been minimal. In 1969, President Thieu had announced the "Land-to-the-Tiller" plan, a revolutionary proposal to distribute one million hectares²⁶ of privately owned land free of charge to the tenants who currently worked it. Tenants in the southern half of the country were to receive three hectares each and those in the northern half one, and the government

26. One hectare equals 2.47 acres.

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would compensate the former landlords. This plan was enacted into law in March 1970 and the first transfer of land occurred the following August. But this reform had achieved little momentum by the end of 1970.

(C) The 1971 Community Defense and Local Development Plan called for the transfer of 400,000 hectares of land to the farmers. From March through December, titles for 312,345 hectares were distributed to farmers, and the Republic of Vietnam expected to come close to meeting the stated goal by the expiration of the plan in March 1972. During 1971, the Republic of Vietnam also undertook a program of land survey for the Montagnards to give them legal claim to the land they occupied and to prevent misappropriation of those lands. A third RVN land reform effort called for the redistribution of land to the people in resettlement camps, and the Republic of Vietnam distributed 11,027 plots totaling 8,567 hectares in the period March through December 1971.

(C) Closely related to land reform was the matter of improvement of food production. The local self-development part of the 1971 Community Defense and Local Development Plan included an agricultural and fishery program designed to meet consumer requirements, export rice, and raise the rural standard of living. The plan called for self-sufficiency in rice production in 1971 through planting 750,000 hectares of miracle rice as well as development of corn and sorghum cultivation, expansion of pig and poultry raising, increased fishery production, and implementation of small irrigation projects. Rice production did increase throughout South Vietnam in 1971 with the Delta experiencing the

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most prosperous year in its history. Even so, only 588,873 hectares of rice were planted and South Vietnam did not become a rice exporter. Nor did the fishery projects develop as anticipated, though the other agricultural programs were largely successful.

(C) The Republic of Vietnam made considerable progress in the areas of health, education, and public works during 1971. "Community cooperation" was the guiding principle of the public health program of the 1971 Community Defense and Local Development Plan, which included many projects for preventive medicine, environmental sanitation, health education, mother-child care, and disease eradication. Perhaps the most important health project was the Sanitary Hamlet Program, an attempt to attain certain basic sanitation conditions in rural hamlets such as potable water, suitable sanitary facilities, and 100 percent immunization against communicable diseases. By the end of the year, the Republic of Vietnam claimed 133 such hamlets, only slightly short of the 150 goal. The Republic of Vietnam also conducted large-scale inoculations in 1971, with 2,643,657 people vaccinated against smallpox.

(C) The Community Defense and Local Development Plan sought to increase secondary teachers from 16,270 to 19,300 by the end of the plan year and to admit a total of 62.5 percent of total primary students to secondary school through competitive examination. The percentage of students so admitted stood at 59.9 percent by the end of the year and the number of secondary teachers at 19,772. In addition, the Republic of Vietnam constructed 644 secondary classrooms during the year.

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(C) Despite the continuing war, the Republic of Vietnam made steady progress in public works projects in 1971, increasing electrical capacity, adding miles of water distribution pipes, increasing postal and telecommunications capabilities, continuing road construction and repair, and increasing dredging. During 1971, the total installed electrical capacity throughout South Vietnam rose from 289 to 340 megawatts. In addition, 2,913 kilometers of road repair were completed in 1971, and the Republic of Vietnam built 50 kilometers of new rural roads, repaired 1,180 kilometers of rural roads, and constructed 3,980 meters of new bridges in this same period.

(C) The two special programs of the 1971 Plan, Urban and Ethnic Minorities Development, sought to give special emphasis to the broad objectives of local self-defense, administration, and development for both the urban population and for the ethnic minorities in South Vietnam. The Urban Program recognized that the problems of the cities could be solved only on a long term basis but did set out various priority tasks to improve administrative organization and living conditions of the cities. Some progress was made in 1971. Preventive medicine projects were launched; new schools built; and water supplies, refuse collection, and fire protection improved. With regard to the ethnic minorities, the Republic of Vietnam focused attention on training for the Montagnards, revising and expanding education and agriculture programs, and implemented other programs especially for the minorities including highland land reform, refugee support, and education. In June 1971, President Thieu appointed a new Minister for the Development of Ethnic Minorities, and he instituted a reorganization to insure greater cooperation among the RVN ministries on the problems of the minorities.

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Political Developments in South Vietnam

(U) The major political events in South Vietnam during 1971 were the country-wide elections for the Lower House of the National Assembly on 30 August followed by the presidential election on 3 October. Voting for the South Vietnamese Senate, the upper chamber of the National Assembly, had occurred in August 1970.²⁷

(U) Who would be the contenders in the presidential election? That was the unresolved political issue confronting South Vietnam in the summer of 1971. By the beginning of June, there were three announced candidates: Nguyen Van Thieu, the incumbent President seeking a second term; Vice President Nguyen Cao Ky, the flamboyant Air Marshal and major rival of President Thieu; and General Duong Van Minh, known in South Vietnam as "Big Minh" and one of the leaders in the coup that overthrew President Ngo Dinh Diem in 1963, running as a peace candidate. President Thieu had won his first term as President four years earlier over 10 other contestants, but had received only 35 percent of the total vote. This time, he wanted to win by a majority vote and he was particularly anxious to limit the number of entrants in the presidential race.²⁸

(U) Largely at President Thieu's urging the South Vietnamese National Assembly passed a bill on 3 June sharply restricting the eligibility of candidates for the Presidency. The new bill, which President Thieu quickly approved, required each aspirant to have nomination papers signed by 40 Deputies and Senators of

27. NY Times, 31 Aug 70, 1; 30 Aug 71, 1; 31 Aug 71, 1; 4 Oct 71, 1.

28. NY Times, 31 May 71, 3; 3 Jun 71, 1; 6 Aug 71, 1; 20 Aug 71, 1.

the National Assembly or by 100 members of the elected provincial councils. Since a majority of the Assembly members as well as many of the provincial councilmen supported President Thieu, the new law gave him a decided advantage to the exclusion of all others.²⁹

(U) All three announced candidates pressed ahead with efforts to secure the necessary number of signatures. President Thieu easily surpassed the necessary quota, obtaining endorsement from 89 of the 159 Deputies of the Lower House of the National Assembly and 15 Senators as well as from 452 provincial councilmen. General Minh qualified with the backing of 44 members of the National Assembly. By 4 August, the deadline for submitting the required signatures, Vice President Ky had the endorsement of 102 provincial councilmen, but 40 of those had already signed for President Thieu. Consequently, on the following day, 5 August, the South Vietnamese Supreme Court rejected Ky's application for candidacy on the grounds of noncompliance with the recent election law.³⁰

(U) Throughout June and July, General Minh had threatened to withdraw from the race should the Vice President be disqualified, and he lived up to his word. On 20 August, General Minh withdrew from the contest, stating: "I cannot lend a hand to a dirty farce which would only make the people more desperate and disillusioned with the democratic system." Minh's withdrawal left only one candidate for the October presidential election, and this situation was a source of considerable embarrassment for the United States. How could

29. NY Times, 3 Jun 71, 1.

30. NY Times, 6 Aug 71, 1; 20 Aug 71, 1.

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US officials claim democracy and constitutional government were working in South Vietnam when there was only one candidate in the Presidential race? Ambassador Bunker had met with General Minh just prior to his announcement in an attempt to persuade the General not to withdraw. Following the announcement, a US Embassy spokesman in Saigon voiced regret over the development, and in the United States, the White House Press Secretary also voiced disappointment that "a major candidate" had removed himself from the election. A spokesman of the Department of State followed with a similar statement, adding that the United States favored "a fair, honest and contested election--one that would lead to a choice for the South Vietnamese people."³¹

(U) The turn of events also embarrassed President Thieu. Apparently at his request, the South Vietnamese Supreme Court reconsidered the decision on Vice President Ky's candidacy, and on 21 August reversed its previous ruling. The device used by the Court was to invalidate all the 452 signatures of provincial councilmen received by President Thieu. Since the President retained the endorsement of 104 members of the National Assembly, he still more than met the requirement of the election law, but now all the provincial council member signatures obtained by Ky could be counted, making him eligible for the contest. Nguyen Cao Ky, however, was no longer willing to participate in the election, and on 23 August, he held a press conference to announce his withdrawal. Once again President Thieu was left the sole contender for the Presidency.³²

31. NY Times, 20 Aug 71, 1; 21 Aug 71, 4.

32. NY Times, 21 Aug 71, 1; 23 Aug 71, 1.

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(C) Subsequently, the election for the Lower House of the South Vietnam National Assembly occurred without incident on 29 August 1971. Slightly more than 78 percent of the eligible voters turned out to select 159 deputies from among some 1,242 candidates in an election that, "with certain glaring exceptions," was judged fair and correct. Candidates opposing President Thieu and his policies scored impressive gains, but the President still commanded a majority in the new body.³³

(U) President Thieu now proceeded with preparations for the presidential election on 3 October apparently reconciled to the fact that his would be the only name on the ballot. The election would, in fact, merely be a referendum indicating by the size of the vote the support for the President. Meantime, anti-Thieu and anti-US demonstrations occurred sporadically in South Vietnam. There were also reports of statements by Nguyen Cao Ky promising to stage a military coup if President Thieu went ahead with the election, but the Vice President never publicly voiced such a threat. On 16 September, the anti-Government An Quang Buddhist group called on all "freedom and democracy loving people" in South Vietnam to boycott the 3 October election, and several days later, the Senate of the South Vietnam National Assembly adopted a resolution asking President Thieu to postpone the election, but the President ignored the request.³⁴

33. (TS) Briefing Book CJCS WESTPAC Trip, 2-14 Nov 71, (S) Item #12, J-5 Files. NY Times, 30 Aug 71, 1; 31 Aug 71, 1.

34. NY Times, 2 Sep 71, 1; 4 Sep 71, 1; 17 Sep 71, 1; 23 Sep 71, 1; 24 Sep 71, 10.

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(U) The United States had also reconciled itself to the uncontested election in South Vietnam, and Secretary of State Rogers told a press conference on 3 September that he viewed the forthcoming vote as a test of public confidence of the Thieu Administration. The New York Times reported some days later that "United States officials" had cautioned South Vietnamese generals against any coup against President Thieu in the present election crisis and that any such attempt would lead to an end of US support. The files of the Joint Chiefs of Staff, however, reveal no indication of such US action.³⁵

(C) The presidential election took place as scheduled on 3 October 1971. Despite enemy shellings of a dozen cities and hamlets, including Saigon and four provincial capitals, approximately 87 percent of the eligible seven million voters in South Vietnam went to the polls. This figure represented a slight increase over the 83 percent participation in the previous presidential election in 1967. Nguyen Van Thieu received 94 percent of the ballots cast with only six percent left blank or mutilated. Obviously, the Buddhist call for a boycott went largely unheeded, and although Nguyen Cao Ky refused to vote, he took no action to disrupt the election.³⁶

(U) President Thieu took his oath of office for his second four-year term on 31 October in a ceremony held under tight security conditions. Speaking before a carefully selected audience, including US Secretary

35. NY Times, 4 Sep 71, 1; 24 Sep 71, 1.

36 (TS) Briefing Book, CJCS WESTPAC Trip, 2-14 Nov 71, (S) Item #12, J-5 Files. NY Times, 3 Oct 71, 1; 4 Oct 71, 1.

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of the Treasury John Connally representing President Nixon, the South Vietnamese President proposed an immediate cease-fire and welcomed peace initiatives from "anywhere." In a more realistic vein, he reminded his fellow countrymen that they would soon be fighting alone and called for national attempts for self-sufficiency. He also called upon the United States to continue military, economic, and social assistance to enable South Vietnam to continue to fight while rebuilding and moving toward self-reliance. In honor of the inauguration, the Republic of Vietnam began the release of approximately 3,000 Viet Cong prisoners to be completed over the next few days. The great majority of those released would undergo a Chieu Hoi indoctrination program and then would be set free, though they would be subject to military service.³⁷

Economic Matters

(U) To attain the self-sufficiency called for in the inaugural address, President Thieu launched a program of economic reform to cut South Vietnam's reliance on US assistance and to combat the chronic inflation in South Vietnam. Unveiling his plan in a speech before a joint session of the South Vietnamese National Assembly on 15 November 1971, he called for a devaluation of the piaster by almost 50 percent. This action, he anticipated, would make the piaster "more realistic," defeating the black market in dollars and attracting foreign investment. Other aspects of the program included: tariff reform, including higher levies on importation of non-essential items; a pay increase for both RVN civil

37. NY Times, 31 Oct 71, 1; 1 Nov 71, 1.

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servants and the RVNAF; and a new investment law to stimulate further foreign investment in the RVN economy.³⁸

(U) United States officials, too, were concerned about economic reform in South Vietnam. As Vietnamization proceeded, they realized that, if South Vietnam was to become truly independent, it must be self-sufficient economically as well as militarily. This would be no easy task to accomplish. The large US military presence in South Vietnam accompanied by US economic assistance over the previous years had made the South Vietnamese economy largely dependent on the United States, and in December 1971, it was estimated that US assistance accounted for over 60 percent of the total RVN national budget.³⁹ Although the United States did not contemplate either an immediate end or even a drastic reduction in its economic assistance to South Vietnam, President Nixon and his advisers recognized that South Vietnam must have help to become more economically independent.

(C) Even though a complete discussion of US economic programs for South Vietnam is beyond the scope of this volume, consideration of the Department of Defense involvement in this area is necessary. Secretary of Defense Melvin R. Laird had long been aware of the economic problems caused by the US military presence in South Vietnam. In August 1970, he had told Admiral Moorer that the implications of the South Vietnamese economic situation necessitated full participation by his office and the Joint Chiefs of Staff in development

38. NY Times, 15 Nov 71, 1. (S-NOFORN-GP 1) COMUS-MACV Command History, 1971, (U) pp. VIII-88 - VIII-89.

39. NY Times, 4 Dec 71, 2.

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of US economic policies to insure the success of Vietnamization. To that end, he had suggested an economic adviser for COMUSMACV to work with other elements of the US mission in Saigon and, through the OJCS, with his office. Accordingly, COMUSMACV established the Office of the Deputy Chief of Staff for Economic Affairs (MACEA) on 4 September 1970, and Brigadier General William Watkin, USA, was appointed to the position. In reporting this action to the Secretary, the Joint Chiefs of Staff concurred in the validity of the Department of Defense assistance for South Vietnamese economic problems.⁴⁰

(C) General Watkin's tour in Vietnam would end in October 1971, and in anticipation of that event COMUSMACV urged CINCPAC and Admiral Moorer in June 1971 to continue the position. He explained:

The experience of the past nine months has more than justified the decision to establish an economic affairs office in MACV. The office plays a dynamic and highly effective role by developing and guiding MACV programs which stimulate RVN economic development, by collaborating with the USEMB and USAID on measures designed to control inflation and to rationalize the GVN economic system and by providing DOD with an independent source of analysis, information, and advice concerning the RVN economy.

General Abrams felt that the economic affairs office was an invaluable element of his headquarters and he foresaw no lessening of the importance of the office in the near future. The commander's superiors agreed and

40. (C-GP 4) Memo, SecDef to CJCS, 21 Aug 70, Att to JCS 2472/660, 24 Aug 70; (C-GP 4) JCSM-457-70 to SecDef, 23 Sep 70, Encl A to JCS 2472/660-1, 15 Sep 70; JMF 911/145 (21 Aug 70). (S-NOFORN-GP 1) COMUSMACV Command History, 1970, (C) pp. IX-117, A-1.

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the position of Deputy Chief of Staff for Economic Affairs was continued.⁴¹

(S) In an effort to assist the South Vietnamese economy, the Deputy Secretary of Defense requested in July 1971 that COMUSMACV and the Commander, Naval Facilities Engineering Command (NAVFACENGCOM) jointly develop a program for the expansion of the South Vietnamese construction industry. General Abrams and the NAVFACENGCOM commander prepared the requested program and the Joint Chiefs of Staff submitted it to the Secretary of Defense on 11 August as an "interim enhancement program" that could serve as the start for a long-term project.⁴²

(C) President Nixon followed the economic situation in South Vietnam, and on 26 July 1971, Dr. Kissinger informed various US officials, including the Under Secretary of State, the Deputy Secretary of Defense, and the Chairman of the Joint Chiefs of Staff, of the President's decision to establish a special economic development fund for South Vietnam. In effect, what the President wanted, as Dr. Kissinger pointed out, was "Vietnamization" of the South Vietnamese economy. The President planned to ask Congress for a five year authorization of about \$150 million per year to facilitate reduction of US economic assistance. Developmental elements in existing US programs would be brought together and funds would be supplied for machinery, spare parts, construction materials,

41. (S-GP 4) Msg, COMUSMACV to CINCPAC and CJCS, 7 Jun 71, JCS IN 55664. (S-NOFORN-GP 1) COMUSMACV Command History, 1971, (U) p. A-2.

42. (S-GP 1) Memo, DepSecDef to SecNav and CJCS, 7 Jul 71, Att to JCS 2472/762, 9 Jul 71; (C-GP 4) JCSM-370-71 to SecDef, 11 Aug 71 (derived from JCS 2472/762-1); JMF 911/534 (2 Jul 71).

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equipment, and other investment goods. Dr. Kissinger requested a study on this matter for the Senior Review Group consideration by 15 August 1971.⁴³

(C) The requested paper was prepared, but the Joint Chiefs of Staff were only minimally involved. Prior to completion of the study, a member of the Chairman's Staff Group advised Admiral Moorer: "The JCS will, of course, coordinate on the paper but in my view there is very little of substance we can contribute." Subsequently the Senior Review Group held consideration of the paper in abeyance because of the "political climate" in both Washington and Saigon, and no further action resulted on this matter.⁴⁴

(S) Since the economic development fund did not prove feasible, the President and Dr. Kissinger turned to other means to promote the economic independence of South Vietnam. On 3 January 1972, Dr. Kissinger asked the Vietnam Special Studies Group for an evaluation of the economic support required by South Vietnam during the coming years as well as alternative ways of meeting that need. As the first phase, he wanted consideration of foreign exchange support for the Republic of Vietnam during 1972. As sources for such support, he mentioned such possibilities as diversion of money from US AID projects and certain Department of Defense projects

43. (C-GP 4) Memo, Dr. Kissinger to USecState, DepSecDef, CJCS et al., 26 Jul 71, Att to JCS 2472/772, 27 Jul 71, JMF 911/534 (26 Jul 71).

44. (C) Reg. of Personnel Handling Class. Doc., "Economic Development Fund for Vietnam," 27 Jul 71, CJCS File 091 Vietnam, Jul 71. (TS) Briefing Book, CJCS WESTPAC Trip, 2-14 Nov 71, (C) Item #37, J-5 Files.

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that might slow the drain of South Vietnam's foreign exchange.⁴⁵

(C) The Vietnam Special Studies Group prepared the study, and after considering it, the President made his decision on 17 February 1972. He selected the second option presented by the Study Group, providing South Vietnam \$680 million of US economic support in 1972 and requiring \$385 million in FY 1972 supporting assistance funds. This assistance would be used to encourage the Republic of Vietnam to increase domestic taxes, improve government efficiency, adjust the exchange rate, and take other appropriate actions to reduce the level of US support needed in future years. The President directed the Secretary of Defense to review his 1973 budget to find ways of providing an additional \$60 million for economic support of South Vietnam.⁴⁶

(C) After an appropriate review, which included initial recommendations by COMUSMACV, the Secretary of Defense informed Dr. Kissinger that there was no excess in the Department of Defense FY 1973 budget. He believed, however, that the additional \$60 million requested by the President could be met through expansion of military construction in South Vietnam, increased in-country procurement, direct military budget support to the Republic of Vietnam, and other expedients, some involving the use of unobligated FY 1971 funds. At the same time, the Secretary of Defense informed the Service Secretaries, the

45. (S-GP 3) Memo, Dr. Kissinger to USecState and DepSecDef, 3 Jan 72, Att to JCS 2472/793, 7 Jan 72, JMF 911/534 (3 Jan 72).

46. (C-GP 1) Extracts of NSDM 154, 17 Feb 72, JMF 001 (CY 1972) NSDMs. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (C) p. D-4.

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Chairman of the Joint Chiefs of Staff, the Service Chiefs, and CINCPAC of his approval of these above actions and enjoined their "whole-hearted" support in order to meet the economic assistance levels established by the President.⁴⁷

(C) Subsequently, on 19 May 1972, Dr. Kissinger related to the Secretary of Defense that he and the President had discussed the Department of Defense proposed action for economic support for South Vietnam and that the President had approved those proposals. "Your support," Dr. Kissinger told Mr. Laird, "and that of the Department of Defense on this critical matter has been outstanding."⁴⁸

Pacification in 1972

(S) Pacification was succeeding at the beginning of 1972. Over the past several years, combat operations had pushed main-force enemy units back into the jungles and mountains while the RVN community defense and local development program had eroded Viet Cong control of essential resources in the populated areas of South Vietnam. But, by the latter months of 1971, growing indicators had appeared that the enemy, recognizing the RVN pacification success, planned counter efforts. In repeated instances, captured Viet Cong documents called "counter-pacification operations" the "pivotal" task at present. Exhorting the Viet Cong cadre members to return from their jungle hideouts to the villages, these documents emphasized the low profile tactics that

47. (C) Memo, SecDef to Dr. Kissinger, 2 May 72, Att to JCS 2472/793-1, 25 May 72, JMF 911/534 (3 Jan 72). (C-GP 4) Msg, SecDef 9407 to SecArmy et al., 2 May 72.

48. (C-GP 4) Memo, Dr. Kissinger to SecDef, 19 May 72, Att to JCS 2472/793-1, 25 May 72, JMF 911/534 (3 Jan 72).

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had worked so well in the early 1960's to gain control over large areas of the countryside.⁴⁹

(C) Both South Vietnamese and US officials also observed the pacification success during 1971 and saw no need to change either basic objectives or approaches, even with the indications of possible enemy counter efforts. Rather, what was required, they believed, was steady, continuous progress toward established goals. These officials did consider that the time had come when it was not only possible but necessary to plan pacification on a longer-term basis. As a result, the Republic of Vietnam published in early 1972 a new plan covering the four year period from March 1972 through 1975. This Four Year Community Defense and Local Development Plan, 1972-1975 (hereinafter referred to as the Four Year Plan) called essentially for the completion of all pacification tasks resulting in a secure and stable South Vietnam. It contained the same basic goals as in the previous plans but added emphasis on long-range programs to support national economic development. As in earlier plans, the new one focused attention on: consolidation and maintenance of security for the entire country; elimination of communist guerrillas and terrorism; efficiency and integrity of government administration at all levels; and emphasis on social and economic progress.

(C) The new Four Year Plan continued to organize all programs under the three basic objectives of local self-defense, local self-government, and local self-development. All the programs of the 1971 plan were

49. (S-NOFORN-GP 1) Dept of State, Research Study, REAS-44, "South Vietnam: Revolutionary War Back to Phase One?," 17 Dec 71, Hist. Div. Files.

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retained and five new ones were added. In the area of self-defense, the Four Year Plan called for full security (A HES rating) for 100 percent of the hamlets of South Vietnam by 1975, for full manning of the Regional and Popular Forces at authorized levels, for a trained and effective National Police at the approved strength of 122,000 in 1972, and elimination of all forms of communist sabotage, terrorism, and subversion. The self-defense portion of the Four Year Plan continued the Chieu Hoi and Phung Hoang Programs and included a new effort, an Administrative Security Program to protect government officials, installations, and documents at all levels. Local self-government in the Four Year Plan encompassed the same objectives and activities as in the previous plan and added the new Local Revenue Development Program to enhance financial self-sufficiency of the provinces, cities, and villages. All the economic and social efforts fell under the local self-development portion of the Four Year Plan. There was also one new aspect in this section, a program to improve the financial system and supply services for needed economic development. The special urban and ethnic programs of the 1971 plan were carried forward in the new plan and two more special ones were added: one to eradicate all "social evils" such as drug use, venereal disease, crime, and the like; and administrative reform to streamline governmental procedures and public services, eliminating corruption and reducing delays.⁵⁰

(C) The Republic of Vietnam launched the Four Year Community Defense and Local Development Plan on

50. (C-EX) RVN, Four Year Community Defense and Local Development Plan, 1972-1975, n.d.; (C) Ltr, COMUSMACV to JCS et al., n.d. (received in JCS on 18 Apr 72); JMF 911/350 (Jan 72).

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1 March 1972 with high hopes for its success, but almost immediately the massive North Vietnamese offensive, beginning on 31 March 1972, dealt a reeling blow to pacification momentum. Large areas of South Vietnam fell under North Vietnamese control, lines of communication were interrupted, and tremendous numbers of new refugees were created. Not only were many pacification projects disrupted, but both personnel and resources from others were diverted to meet emergency situations. By the end of August 1972, the offensive had been blunted and the Republic of Vietnam undertook recovery efforts to return the community defense and local development program to its original course. Special plans prepared in 17 affected provinces identified actions to rebuild security, restore governmental services, and reconstruct damaged public facilities, and the Republic of Vietnam reprogrammed 848 million piasters for these projects. The United States supplied financial assistance for the recovery operations and CORDS advisers worked closely with the South Vietnamese on these efforts. As a result, by the end of 1972, the pacification effort was largely restored to the point where it had stood at the start of the year.⁵¹

51. All information on pacification goals in 1972 is from (C-EX) RVN Four Year Community Defense and Local Development Plan, 1972-1975, n.d., JMF 911/350 (Jan 72). All information on the conduct of pacification in 1972, except as otherwise stated, is from (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, Annex D. Also see (C) Dept of State, Intelligence Note, REAN-55, "South Vietnam: The Communists Strike at Pacification," 2 Aug 72, Hist. Div. Files.

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(C) When the Four Year Plan was launched, 82.7 percent of all hamlets were judged fully secure, a fact that seemed to place the 100 percent objective within reach. The enemy offensive, however, quickly changed the situation and statistics for territorial security more than any other indicator showed disruption wrought by the offensive. The number of Viet Cong-controlled hamlets rose from seven in February to 1,164 in May, and the percentage of secure hamlets, country-wide, fell proportionally, dropping to 70.3 percent at the beginning of August 1972. Thereafter the overall country rating began a gradual rise as the South Vietnamese forces reasserted control. By the end of December 1972, the figure for fully secure hamlets, country-wide, had reached 79.6 percent.

(C) The North Vietnamese offensive provided an effective test of the RVN territorial security forces, and the results were not altogether encouraging. The performance of the Regional and Popular Forces, who retained responsibility for local defense and security under the Four Year Plan, varied from outstanding to poor. In Quang Tri and Binh Long Provinces, the Regional Forces took a determined stand against superior forces, but in Binh Dinh and Kontum, neither the Regional nor the Popular Forces made much effort to stop the enemy in the initial days of the offensive. The territorial forces were spread too thin in MR 4 during the early part of the offensive, and numerous bases were overrun or abandoned. The offensive caused a decline in the strength of both forces in the first half of the year, though these largely recovered by the end of the year.

(C) Similarly, the performance of the People's Self Defense Force, with a few exceptions, proved marginal during the offensive. This weakness of the PSDF was a serious obstacle to hopes of effective

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security at the grass-roots level. The RVN attempted to strengthen the PSDF during the recovery period, and significant numbers of combat members attended refresher training to improve their combat performance.

(C) The Four Year Plan called for further strengthening of the National Police within the approved 122,000-man ceiling and creation of an effective police presence throughout the countryside by deploying 30,000 National Police to the village and establishing police stations in all secure villages. Although the enemy offensive prevented accomplishment of the latter objective, National Police performance was judged "adequate" during the offensive and was particularly effective in helping prosecute a special anti-VCI campaign. Despite the offensive, National Police training proceeded on schedule during 1972 and the National Police did assume responsibility for Phung Hoang operations from the province and district intelligence centers as previously planned.

(C) Phung Hoang operations were one area of the pacification program that did not suffer from the enemy offensive. Phung Hoang neutralizations increased substantially during the period of the offensive in all Military Regions, except MR 3, primarily because the increased tempo of enemy activity made the VCI "more vulnerable." On the other hand, terrorism against the South Vietnamese naturally increased sharply during the early stages of the offensive, but then tapered off again by the summer.

(C) The Four Year Plan set an overall goal of 48,000 Hoi Chanh (ralliers) for the Chieu Hoi program with 14,000 in 1972. Once again, the enemy invasion hampered this effort. The number of Hoi Chanh fell sharply in April 1972 and continued to decline, though at a slower rate, through May and June. In July the rate began to rise and in August it nearly equaled that

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of the previous March. The last three months of the year saw a decline in the Chieu Hoi ralliers, largely attributable to the reduced military activity and the uncertainty about the peace negotiations. Consequently by the end of the year, some 10,052 Hoi Chanh had rallied to the Republic of Vietnam, missing the established goal by almost 4,000.

(C) The North Vietnamese offensive also dealt a considerable set-back to the local self-government programs of the Four Year Plan. Combat operations in the period April-August 1972 disrupted 260 South Vietnamese villages although many of these villages continued to function in refugee locations. The Republic of Vietnam anticipated using Province Mobile Assistance Teams in 1972 to supervise and assist village officials, but the offensive forced abandonment of team visits in many areas. In other aspects of local self-government, however, some success was attained. The Four Year Plan introduced the Local Revenue Improvement Program to build fiscal self-sufficiency for villages and provinces, and the year 1972 saw considerable progress in that effort. In addition, the Republic of Vietnam proceeded with administrative reforms to cut red tape and simplify government procedures for its citizens.

(C) The most important aspect of the community defense and local development effort in 1972, necessarily so because of the offensive, was the refugee program. Prior to April 1972, the Republic of Vietnam had made considerable progress in resettlement of its homeless citizens and elimination of the refugee problem seemed within reach. Then the offensive broke leaving nearly 1.3 million people homeless at some time during the next nine months. The Republic of Vietnam acted with dispatch to meet the challenge, initiating emergency assistance to provide shelter, medical care,

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and other necessities to the growing number of refugees. This emergency relief took precedence over all other programs with the single exception of the conduct of the war itself. The United States assisted, providing more than 14 billion piasters (\$31 million) for refugee relief as well as contributing an additional \$1.26 million in direct dollar costs. The United States also supplied over 2,000 tents as temporary housing for refugees, and abandoned US military bases were used as refugee sites. By the close of 1972, the Republic of Vietnam had assisted over 400,000 refugees to return to their villages while about 790,000 were receiving assistance in some 150 RVN refugee camps located in 22 provinces.

(U) Within the constraints necessitated by the North Vietnamese offensive, the Republic of Vietnam proceeded with the other economic and social programs of the local self-development portion of the Four Year Plan. In spite of the diversion of resources to meet emergency needs, the reconstruction of roads, railroads, and bridges progressed, and by the end of December four-fifths of the year's objectives in these areas had been completed. Even though distribution of land ceased in contested areas, land reform moved ahead elsewhere. Consequently, by December 1972, the republic of Vietnam had approved 924,947 hectares for distribution and had actually redistributed 694,573 hectares, and expected to reach the goal of distributing one million hectares by 26 March 1973, the third anniversary of the land reform law. Nevertheless, despite the progress in land reform, the Republic of Vietnam did not become a rice exporter in 1972 as planned. The enemy offensive combined with bad weather precluded that eventuality and the Republic Vietnam

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would have to import rice in the coming year. Finally, veterans programs continued and education suffered no permanent set back in 1972. The offensive did destroy school buildings in many areas, forcing a shortened school year. But the Republic of Vietnam began school reconstruction in July and nearly all schools in South Vietnam were repaired, staffed, and ready when the fall term began in September. Moreover, school attendance in the fall of 1972 was at previous levels and there were no critical shortages of teachers, buildings, or supplies.

(U) By the end of 1972, the civil defense and local development campaign had made a remarkable recovery from the disruption caused by the enemy spring offensive. Consequently, at the start of 1973, the pacification picture in South Vietnam was much the same as it had been a year previously. But, with all signs indicating an imminent political settlement of the war, the question then more than ever was: Could the fragile pacification gains be maintained and continued?

(C) As will be related in subsequent chapters, the United States and North Vietnam did reach a negotiated agreement on the war in January 1973. A cease-fire went into effect throughout South Vietnam on 27 January 1973, and the United States agreed to withdraw all its military forces from South Vietnam within 60 days. This agreement, however, did not bring an immediate end to the fighting in South Vietnam. In fact, the mere announcement of the settlement spurred heavy fighting as both sides attempted to increase their control of territory before the cease-fire came into force. As a result, the percentage of fully

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secure hamlets under RVN control fell during January 1973 by over three points from 79.6 to 76.1.⁵²

(C) With the signature of the agreement and the withdrawal of US troops from South Vietnam, the United States dismantled its organization for military support of pacification efforts. The CORDS structure was disbanded and ceased to exist on 27 February 1973. Various functions and civilian personnel were transferred to US civilian agencies in South Vietnam. Advisory assistance for the Chieu Hoi program was shifted to the Special Assistant to the Ambassador for Field Operations; refugee support became the responsibility of the US AID office; and CORDS civilian personnel in the field were retained under newly established Directorates for Resettlement and Reconstruction under four consuls-general in Da Nang, Nha Trang, Bien Hoa, and Can Tho.⁵³

(U) Now, after many years of effort and great expense, US military support for pacification in South Vietnam had ended. Reduced assistance, carried on by civilian personnel, would continue, but a crucial question remained. Would this reduced assistance be sufficient now that the Republic of Vietnam had to face the continuing enemy threat alone? If the peace settlement had brought an end to the fighting, perhaps, the Republic of Vietnam could have built on the foundation laid by the pacification programs to become a truly viable nation. But since North Vietnam and the Viet Cong never intended to live up to the agreement, the pacification achievements could not prevent the ultimate fall of the Republic of Vietnam.

52. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (C) pp. 116, 125-126, 129-139, D-32.

53. Ibid., pp. D-43 - D-44.

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CHAPTER 11

THE NEGOTIATIONS TO END THE WAR IN 1971 AND 1972

(U) At the beginning of 1971, the Paris talks to end the war in Vietnam had been in progress for almost two years. President Johnson on 31 March 1968 had restricted the US bombing of North Vietnam to the area immediately above the DMZ in an effort to get talks started, and on 13 May 1968, US and North Vietnamese representatives began meetings in Paris to consider procedural matters preliminary to substantive negotiations. Finally on 31 October 1968, the United States ceased all bombing of North Vietnam in return for agreement to begin expanded talks, and on 25 January 1969, delegations of the United States, the Republic of Vietnam, North Vietnam, and the National Liberation Front, or Provisional Revolutionary Government (PRG) of South Vietnam (as they redesignated themselves in June 1969), met for the first time in plenary session in Paris at the old Majestic Hotel.¹

(U) Delegates of the four parties held 97 plenary sessions during 1969 and 1970, but had reached no agreement on a settlement. The United States and the Republic of Vietnam had sought a verified withdrawal of all external forces from South Vietnam, release of all prisoners, and a political solution decided by the South Vietnamese themselves free of outside interference. North Vietnam and the Provisional Revolutionary Government, however, rejected all allied proposals,

1. See The Joint Chiefs of Staff and the War in Vietnam, 1969-1970, pp. 453-455, 460.

insisting on unconditional removal of all non-Vietnamese forces but without provision for withdrawal of the North Vietnamese troops in the south. Moreover they refused to discuss a political settlement in South Vietnam and demanded the overthrow of President Thieu and his Government.²

The Mechanics

(U) The US participation in the Vietnam negotiations in 1971 and 1972 followed a pattern that had developed early in 1969. The preparation for and conduct of the talks in Paris were carried out by the Department of State at the direction of the President. Despite the political nature of the negotiations, the Joint Chiefs of Staff participated in this aspect of the Vietnam story though their involvement was not so readily apparent.

(U) In the years 1971 and 1972, the Joint Chiefs of Staff never took a formal position on the Vietnam negotiations. Nor did they provide the Secretary of Defense any views or recommendations on this subject for submission to Dr. Kissinger, the Secretary of State, or the President. Undoubtedly, the Joint Chiefs of Staff discussed the peace talks among themselves and with the Secretary of Defense, but no written record of such deliberations is available.

(U) The Joint Chiefs of Staff did, nevertheless, have a voice in the negotiations by other means. From the start of the Paris talks in 1968, the Joint Chiefs of Staff had provided a military adviser to the US

2. The Joint Chiefs of Staff and the War in Vietnam, 1969-1970, pp. 453-512.

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Delegation. Although he had no independent voice in the delegation decisions, he was, in practice, a full participant in that body's discussions. He kept the delegation informed of the current military situation in Vietnam, evaluating such developments as combat high points and lulls and changes in infiltration levels. He also advised on the military significance of actions under consideration by the delegation and supported the Department of Defense and JCS positions in those considerations. In addition, the military adviser attended all plenary sessions of the Paris talks.³

(C) Another vehicle of JCS influence on the negotiations was the Joint Staff participation in the NSC interdepartmental bodies in Washington that dealt with the talks. There were two of these, the Indochina Ad Hoc Group and the Vietnam Special Studies Group, and officers of the plans and policy Directorate, J-5, were members of both, together with representatives of the NSC staff, the Department of State, the Central Intelligence Agency, and the Office of the Assistant Secretary of Defense (International Security Affairs). The Indochina Ad Hoc Group was charged with coordination of guidance and direction for the plenary Paris talks. It reviewed and approved proposals from the US Delegation for presentation at the weekly sessions. The second body, the Vietnam Special Studies Group, was responsible for broad planning and development of overall negotiating strategy. Completed papers of both groups were usually reviewed by the Senior Review Group. There the Chairman of the Joint Chiefs of Staff, as a member, had a voice in the considerations. Certainly, he spoke for the Joint Chiefs of Staff in those

3. (TS) J-5 Briefing for DJS, "Briefing on Negotiations for Peace in Indochina," 25 Aug 72, J-5 Files.

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meetings as well as at NSC meetings, and he must have reported back to the other Chiefs on the discussions and decisions reached in these meetings. But the reports must have been oral since, again, no record of them has been found.⁴

(C) Within the Joint Staff, the Southeast Asia Watch Group on a Negotiated Settlement (SEAWAGONS) monitored the negotiations and kept the Chairman of the Joint Chiefs of Staff informed of current developments. Operating under the overall direction of the Director, J-5, the SEAWAGONS was under the immediate supervision of the Chief, Far East/South Asia Division, J-5, and included one principal and alternate from each Directorate of the Joint Staff and from the Defense Intelligence Agency. The SEAWAGONS also served as the point of contact with the military advisers at the Paris talks.⁵

(C) In addition to the plenary Paris peace negotiations, there were also the intermittent private talks between Dr. Kissinger and Le Duc Tho, which had begun in August 1969. These meetings were conducted in extreme secrecy and the Joint Chiefs of Staff had no input into or detailed knowledge of them. A J-5 briefing in the summer of 1972 on the current status of the negotiations stated that no information on the private talks was available. Even as late as October 1972, when the private talks had reached a critical state, the Joint Staff had "no information" on them.⁶

4. (TS) J-5 Briefing, "The Current Status of Negotiations," n.d. (summer 1972); J-5 Briefing for LTG Seignious, n.d., J-5 Files.

5. (TS) J-5 Briefing for DJS, "Briefing on Negotiations for Peace in Indochina," 25 Aug 72, J-5 Files.

6. (TS) J-5 Briefing, "The Current Status of Negotiations," n.d. (summer 1972), J-5 files. (S-NOFORN) Agenda for SEAWAGONS, 12 Oct 72, J-5 Action Officer Files (SEAWAGONS Agendas).

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Refinement of the US Negotiating Position

(U) With the entry of President Nixon into office in January 1969 and the initiation of the Paris peace talks, the United States had undertaken the development of a comprehensive position on the various issues foreseen in the pursuit of a peaceful settlement. During 1969, US officials in Washington had prepared within the revamped NSC system a series of papers dealing with mutual withdrawal, verification, political settlement, and international guarantees of a settlement. In the first half of 1970, a cease-fire paper was prepared, and the existing negotiating papers were refined and updated.⁷

(S) On 7 October 1970, President Nixon publicly offered a new peace proposal that included, for the first time, "a cease-fire in-place."⁸ Subsequently, the President asked for preparation of a US position on possible cease-fire negotiations, and Dr. Kissinger notified the Secretaries of State and Defense, the Director of Central Intelligence, and the Chairman of the Joint Chiefs of Staff on 16 October 1970 of this requirement. The President wanted development of "specific and comprehensive" negotiating criteria on all aspects of enemy behavior under an in-place cease-fire. The President also asked for a thorough examination of verification and control, including such matters as ways of insuring South Vietnamese compliance, means of assessing enemy performance under a cease-fire, and possible supervisory bodies. Finally, the study was to include alternative US cease-fire negotiating postures, with consideration of probable enemy

7. See The Joint Chiefs of Staff and the War in Vietnam, 1969-1970, pp. 468-470, 485-496.

8. Public Papers of the Presidents of the United States: Richard Nixon, 1970 (1971), pp. 825-828.

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responses and initiatives, and possible cease-fire arrangements in both Laos and Cambodia.⁹

(S) The Working Group of the Vietnam Special Studies Group (VSSG) was assigned actual preparation of the study, and drafting was done by two panels: one on negotiations chaired by a Department of State representative and another on military arrangements in South Vietnam directed by a representative of the Assistant Secretary of Defense (International Security Affairs). Members of the Joint Staff participated on both panels. On 30 October 1970, the Joint Chiefs of Staff directed CINCPAC and COMUSMACV to furnish information to the Joint Staff as expeditiously as possible to insure that the views of the field commanders were incorporated into the new cease-fire paper.¹⁰

(S) Dr. Kissinger had asked for the study by 10 December 1970, but due undoubtedly to the lack of any progress in the negotiations, that deadline was not kept. The VSSG Working Group cease-fire paper went through two initial drafts during the spring of 1971 with the final version completed on 10 June 1971. In this paper, the Working Group treated a cease-fire as an "interim measure" to halt fighting and create an environment leading to a final settlement. The Working Group limited its assessment to in-place cease-fire alternatives designed to maintain the status quo by

9. (S-GP 3) Memo, Dr. Kissinger to Secys State and Defense, DCI, and CJCS, 16 Oct 70, Att to JCS 2472/679, 24 Oct 70, JMF 911/305 (25 May 70) sec 2.

10. Ibid. (S-GP 3) DJSM-1615-70 to CJCS, 30 Oct 70; (S-GP 3) Msg, JCS 14650 to CINCPAC and COMUSMACV, 30 Oct 70; J-5 Files.

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stopping or reducing military activity in a way that prevented either side from improving its military position after implementation of the cease-fire.

(U) A principal concern of the Working Group was that the enemy would use his main forces to upset the status quo achieved in a cease-fire. He might employ them for overt military action (at a level too low to constitute a formal breach) or to provide support and encouragement for similar action by local forces. Or his main forces could be held in reserve and rebuilt to resume hostilities at a more favorable time. In order to develop realistic alternatives, the Working Group analyzed representative areas within South Vietnam to identify enemy main force activities and potential for violation that would need to be neutralized in a cease-fire. The Working Group then extended this analysis to the country as a whole and, as a result, presented two alternatives or "cease-fire terms" as it designated them.

(S) The first term (Alternative I) provided for main forces of both sides to freeze in-place with locations and unit designations established on the ground by a joint military commission within negotiated agreements as to size of the areas. A variant of this term was identical except there would be no formal machinery for enforcement. The second term (Alternative II) would require main forces to remain in "sanctuary" areas identified by negotiation, which might not be entered by the military, administrative, or police forces of the other side.

(S) Of the two terms, the Working Group favored Alternative II because it would provide an opportunity to remove enemy main forces from populated areas. Conversely, since Alternative I allowed location of

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enemy main forces near populated areas, it posed greater potential for changes in control of the population, encouraging greater activity by local forces and the VCI. Under either alternative, the Working Group predicted a buildup of enemy supplies and personnel since the communists were unlikely to give up voluntarily the option of strengthening their forces.

3/ (S) Since the nature of the war as well as the political situation in Laos and Cambodia was fundamentally different from South Vietnam, the Working Group supplied separate cease-fire terms for those two countries. In Laos, the Working Group considered that a cease-fire would offer benefits to both sides and, hence, should be followed by a period of "good observance and relative military stability." In Cambodia, however, the Working Group expected both sides to continue to struggle for political control with any cease-fire directly related to the outcome in South Vietnam.¹¹

(S) The cease-fire paper was scheduled for consideration by the Senior Review Group (SRG) on 20 July 1971, and the Assistant Secretary of Defense (International Security Affairs) and the Director of the Joint Staff prepared a talking paper for use by the Deputy Secretary of Defense and the Chairman of the Joint Chiefs of Staff. The Assistant Secretary and the Director considered the methodology of the paper good and the work "very detailed," but noted that, except for specific data input, the final paper had not been coordinated with the military commands, the field agencies, or the Paris delegation. Moreover, they

11. (TS-GP 1) VSSG Paper, "Indo-China Cease-Fire Terms," 10 Jun 71, Encl to Att to JCS 2472/770, 26 Jul 71, JMF 911/305 (25 May 70) sec 2.

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considered the paper to a great extent "judgmental" with outcomes that could be considered far from certain.

(S) In consideration of cease-fire papers the previous year, the Defense position had maintained that any cease-fire must be linked to withdrawal of North Vietnamese forces from South Vietnam.¹² The President, however, had ignored that advice and his 7 October 1970 speech had called for a cease-fire in-place without mention of any condition for withdrawal. In accordance with the President's proposal, the 10 June 1971 VSSG Working Group paper included no provision at all for withdrawal. Nor did the Assistant Secretary or the Director advocate a withdrawal alternative. As the Defense position on the control aspect of the new study, they supported Alternative II provided it would be so applied as to leave the ARVN widely dispersed in battalion-sized sanctuaries while grouping enemy forces into a smaller number of larger (regimental-size) sanctuaries away from population centers. Should Alternative I be negotiated, the two Defense officials urged great emphasis on agreement for an effective international supervisory body present at each main force location. With regard to enemy main force buildup and possible resumption of hostilities, the Assistant Secretary and the Director found neither alternative clearly preferable. To discourage a resumption of hostilities by the enemy, the two Defense officials believed that "a credible deterrent" based on the threat of retaliation would be necessary. Until the RVNAF could provide such a capability, they said, the threat of US retaliation must fill the deterrent gap. In conclusion, they considered the paper a first

12. See The Joint Chiefs of Staff and the War in Vietnam, 1969-1970, pp. 486, 492-494.

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step and recommended that it be provided to the US Embassies in Saigon, Vientiane, and Phnom Penh and the US Delegation in Paris. Thereafter, a second phase study to translate objectives into specific negotiating proposals, should be developed if warranted.¹³

(S) The Senior Review Group meeting was postponed until 22 July 1971 when all the principals--Dr. Henry Kissinger, Under Secretary of State U. Alexis Johnson, Deputy Secretary of Defense David Packard, Director of Central Intelligence Richard Helms, and Admiral Thomas Moorer--gathered to consider the cease-fire paper. In a general discussion, Admiral Moorer commented upon the difficulty of negotiating enemy sanctuaries away from the population as compared with the ease of negotiating an in-place cessation. He also believed that it would be difficult to get the Government of Vietnam "to allocate its sovereign territory for use as NVA sanctuaries." Citing experience with the 1954 Indochina accords, Deputy Secretary Johnson confirmed that negotiation of sanctuaries was impractical. There followed general agreement that the in-place provisions of Alternative I were the most practical approach. After some discussion of an appropriate international supervisory body, Dr. Kissinger concluded the meeting by listing the actions still to be accomplished on the cease-fire terms: comments from the field; further

13. (TS-GP 1) Joint TP for DepSecDef and CJCS for SRG Mtg on 20 Jul 71, "Indo-China Cease-fire Paper," n.d., Att to JCS 2472/770, 26 Jul 71, JMF 911/305 (25 May 70) sec 2.

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work on the matter of a supervisory body; and preparation of a final paper for the President.¹⁴

(S) Accordingly, the VSSG paper was dispatched to the field for comment. General Abrams found the scope of the study "a very narrow basis for developing a US position on cease-fire terms." Further, he observed that the study conclusions indicated a distinct disadvantage for the friendly governments of South Vietnam, Cambodia, and Laos under cease-fire terms in an insurgency environment. The enemy, he believed, accustomed to covert and clandestine methods, would be much less inhibited by the proposed supervisory mechanism than would the South Vietnamese. Consequently, he suggested an extension of the study in order to create an atmosphere "equally restrictive" to both sides during subsequent negotiations for settlement. Specifically, he urged inclusion of "a planned withdrawal of all non-South Vietnamese combat forces" as another alternative cease-fire term and suggested that a more effective control mechanism would be needed. CINCPAC concurred in the COMUSMACV position.¹⁵

(S) Ambassador Ellsworth Bunker in Saigon replied on 21 August that the scope of the study was so limited that it failed to provide an adequate basis for "cease-fire negotiating alternatives." Further he found the study unrealistic in the assumptions

14. (TS) Memo for Record by BG W. C. Burrows, USAF, Chief Far East Div., J-5, "NSC Senior Review Group Meeting on 22 July 1971, concerning the VSSG Indo-China Cease-fire Terms Paper (C)," 23 Jul 71, Encl to Att to JCS 2472/770-1, 28 Jul 71, JMF 911/305 (25 May 70) sec 2.

15. (TS-GP 1) Msg, COMUSMACV to CINCPAC, 300720Z Jul 71, JCS IN 67169. (TS-GP 1) Msg, CINCPAC to JCS, 060315Z Aug 71, JCS IN 66841.

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that it made about the kind of cease-fire terms the enemy was likely to accept. As a general observation, he emphasized the importance of viewing a cease-fire "not as an end in itself, but as a stage in an interlocked process intended ultimately to eliminate the causes of the fighting."¹⁶

(S) Ambassador Philip C. Habib, the interim head of the US Delegation to the peace talks in Paris, in his reply addressed the question of the acceptability of a cease-fire to both sides. The study, he stated, seemed to be based on the supposition that North Vietnam was losing the war and that the allied side could impose the terms of a settlement. It was Ambassador Habib's best evidence that the North Vietnamese did not think they were losing the war nor were they prepared to enter into negotiations on a US-proposed cease-fire. Even if they should, the Ambassador doubted they would agree to the concessions required by the VSSG study. He found the study useful in defining an opening allied position, but considered the scenarios set out therein unrealistic portrayals of the final product.¹⁷

(S) Upon receipt of the field comments, the VSSG Working Group prepared a new paper, "Alternative Sets of Cease-Fire Terms," which was completed on 23 August 1971. This paper went beyond the 10 June 1971 study in that it described the "general conceptual framework in which cease-fire terms might be considered," though without any attempt to relate the terms to the political and other issues of an overall settlement. The

16. (TS) Msg, Saigon 13455 to State, 21 Aug 71, JCS IN 98419.

17. (TS) Ltr, Amb Habib to Dep AsstSecState for East Asian and Pacific Affairs, 6 Aug 71, J-5 Files.

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new paper gave additional attention to the problem of supervision of a cease-fire and provided additional cease-fire terms. The terms now included four alternatives. The first provided for all forces, both main and local, to freeze in-place with supervision by the current International Control Commission (ICC). Alternative 2 would locate enemy main forces in sanctuaries while friendly main forces would be widespread with local forces free to conduct defensive operations. Supervision would be by "a new, large International Supervisory Body." Under both alternatives, military forces in Laos and Cambodia would be separated along a line reflecting current troop dispositions, and RVNAF forces would withdraw from Cambodia. Alternative 1, however, would allow certain adjustments in the line in favor of the enemy. Alternative 3 would freeze all main forces in-place with South Vietnamese forces free to conduct defensive operations. The supervision aspect would be as in Alternative 2. Alternative 4 was identical to Alternative 3 except supervision would be by the current International Control Commission rather than by the new International Supervisory Body.

(S) In assessing these terms, the Working Group believed that Alternative 1 would prove attractive to North Vietnam and, hence, would be easier to negotiate than the other alternatives. Accordingly, the first alternative did not constitute an "attractive" negotiating position for the allied side, at least initially. Alternative 2, on the other hand, the Working Group stated, was the most favorable to "our side," but would probably be rejected "out of hand" by Hanoi. Alternative 3 offered a more favorable prospect for negotiation than the two preceding ones since it struck a degree of compromise on supervision and placed nearly equal restriction on both sides' main forces,

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calling for a "genuine" freeze in-place of all main forces; moreover, it dropped any idea of relocating enemy main forces into sanctuaries. The fourth alternative would be less acceptable to the allied side because of the weaker supervision provided by the ineffective International Control Commission.

(S) In the 23 August paper, the Working Group also examined the possibility of an unilateral allied cease-fire as a tactic to draw the enemy into fruitful negotiations for a final settlement. Such a possibility would have strong political and psychological impact on the world community as well as placing the burden of response on the enemy. But it would also involve certain risks. The enemy might seize the opportunity to improve his military situation surreptitiously while giving the appearance of a favorable response, thus making it difficult for the allied side to justify a resumption of offensive operations. In an annex on verification and enforcement of a cease-fire, the Working Group considered the following international supervisory bodies in order of effectiveness: (1) a UN-sponsored body; (2) a new international organization; (3) an expanded and strengthened International Control Commission; (4) the current International Control Commission supplemented by observers.¹⁸

(S) The Senior Review Group considered the new cease-fire paper on 1 October 1971, and in anticipation of the meeting, the Assistant Secretary of Defense

18. (TS-GP 1) VSSG Paper, "Alternative Sets of Cease-Fire Terms," 23 Aug 71, Att to JCS 2472/770-2, 29 Sep 71, JMF 911/305 (25 May 70) sec 3.

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(International Security Affairs) and the Director of the Joint Staff again supplied the Deputy Secretary of Defense and the Chairman of the Joint Chiefs of Staff a talking paper for the meeting. On the basis of expected declines in GVN control and continued enemy buildup under all four alternative terms, as well as the seeming dependence of a stable Cambodia on the outcome in South Vietnam, the Assistant Secretary and the Director considered a cease-fire in-place prior to a final settlement undesirable. They believed that a cease-fire must be linked to political agreement that would prevent a continued struggle for control. One goal for such a final solution, they said, should be a verified mutual withdrawal of all non-South Vietnamese forces. Without such political linkages, the two Defense officials considered the new cease-fire study an unrealistic approach to negotiation and recommended against referring it to the National Security Council.¹⁹

(S) At the 1 October Senior Review Group meeting, there was a general consensus that Alternative 1 and 4 of the cease-fire study were disadvantageous to the allied side and should not be considered. There was also agreement that Alternative 2 was the most favorable from "our viewpoint" though the participants recognized that its unacceptability to the North Vietnamese made it an impractical option. Consequently, Deputy Secretary of Defense Parckard stated that Alternative 3 was the most "practical and realistic" approach and should be used as a point of

19. (TS-GP 1) Joint TP for DepSecDef and CJCS for SRG Meeting on 1 Oct 71, "VSSG Alternative Sets of Cease-Fire Terms Paper," n.d., Att to JCS 2472/770-4, 12 Oct 71, JMF 911/305 (25 May 70) sec 3.

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departure. Lieutenant General Richard T. Knowles, USA, the Assistant to the Chairman of the Joint Chiefs of Staff, who represented Admiral Moorer at the meeting, suggested consideration of something between Alternatives 2 and 3 since the in-place cease-fire provision of Alternative 3 posed too many disadvantages for the allied side.²⁰ No final action was taken on the paper, and in closing the meeting, Dr. Kissinger stated that three more things were needed to round out the cease-fire study: a paper on possible enemy actions prior to implementation of a cease-fire; evaluation and development of concepts to monitor infiltration and military violations during a cease-fire; and preparation of a "political framework" that should "surround" a cease-fire agreement based on Alternative 3.²⁰

(U) Subsequently, on 11 October 1971, President Nixon presented a private peace initiative to the North Vietnamese that included provision for a cease-fire. This proposal was not publicly revealed until the following January²¹ and, even then, few details were released. The cease-fire offered, however, was not one such as considered in the VSSG Working Group paper. Rather, the President proposed "a general cease-fire throughout Indochina" to begin when an agreement was signed, and, as set forth in the overall initiative, the agreement would include prisoner release, a political settlement in South Vietnam based on free

20. (TS-GP 3) Memo for Record by BG W. C. Burrows, USAF, Chief, Far East Div, J-5, "NSC Senior Review Group Meeting on Alternative Sets of Cease-Fire Terms (U)," 4 Oct 71, Att to JCS 2472/770-3, 6 Oct 71, JMF 911/305 (25 May 70) sec 3.

21. See below, pp. 603-605.

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elections, and respect for the 1954 Geneva Agreements. In any event, the offer quickly became moot. The North Vietnamese made no positive response, and the matter proceeded no further.²²

(S) Meantime, the three papers requested by Dr. Kissinger at the 1 October SRG meeting were prepared in late October and early November. The one on probable enemy actions prior to implementation of a cease-fire was expanded to include possible actions by the allied side as well. This paper predicted that both sides would undertake a series of major actions to expand their territorial control and political influence in an attempt to strengthen their respective strategic, tactical, and negotiating postures. The second paper examined not only problems of monitoring a cease-fire, but also the manpower requirements involved. With respect to the former aspect, the conclusion was that, in the twentieth century, cease-fires ending non-decisive combat were rarely effective without international supervision. Moreover, the particularly non-decisive nature of the struggle in Indochina made the presence of an international supervisory body "a matter of greater than normal importance." Since the tasks of such a body in Indochina would be monumental, the paper proposed an "optimum practical size" for such a body of 8,500 to 12,000 personnel. A force of 17,200 to 22,000 would do a better job, but probably could not be attained, while one of less than 3,000 to 5,000 was considered too small, offering little more than a substantial International Control Commission. These first two papers were prepared by a NSC task force. The Indochina Ad Hoc Group supplied the remaining one, a detailed, step-by-step negotiating scenario,

22. Public Papers Nixon, 1972, pp. 103-106.

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incorporating a cease-fire as contained in Alternative 3 of the VSSG Working Group paper.²³

(C) No further action followed on these three studies. Nor is there any available evidence that the Senior Review Group considered further the 23 August 1971 cease-fire paper or that the paper was ever presented to the National Security Council and the President. Presumably, the complete lack of any progress in either the private negotiations efforts or the Paris talks during 1971 removed the necessity for any further Washington review of the negotiating position in late 1971.

The Paris Talks in 1971

(C) At the first plenary session of the Paris talks in 1971, on 7 January, South Vietnamese delegate Phan Dang Lam reviewed the lack of progress in the talks and asked the other side to engage in serious discussions. United States representative David K. E. Bruce followed and briefly recounted US proposals for a settlement. The most recent was the peace initiative set forth by President Nixon in his 7 October 1970 speech. In addition to provision for an in-place cease-fire throughout Indochina with effective international supervision,²⁴ that proposal included: a peace conference to deal with the conflict in Vietnam, Laos, and Cambodia; US readiness to negotiate an agreed timetable for complete withdrawal of its forces as part of an overall settlement; a political settlement that truly met the aspirations of all South Vietnamese; and immediate unconditional release of all

23. (TS-GP 3) Memo, Dir, Vietnam Task Group to Dir, Program Analysis, NSC, 26 Oct 71; (S) Memo, Dep AsstSec State for East Asian and Pacific Affairs to Chm, SRG, 4 Nov 71; J-5 Files.

24. See above, p. 570.

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prisoners of war. Ambassador Bruce urged the other side to reconsider its approach and join in negotiating an early and honorable end to the war.²⁵

(C) Mme. Nguyen Thi Binh, speaking for the PRG, charged the United States with a variety of crimes in Vietnam and repeated the PRG demands "in standard terms": total and unconditional withdrawal of US and other non-Vietnamese forces from South Vietnam by 30 June 1971 and a coalition government in South Vietnam that did not include President Thieu or Vice President Ky. Xuan Thuy, the leader of the North Vietnamese delegation, supported the PRG demands and charged the Nixon Administration with intensifying the war. This initial meeting of the year with its lack of any understanding or progress set a pattern for the months to follow.²⁶

(C) Throughout the year, the allied side would devote increasing attention in the negotiations to the issue of those held prisoner and missing. At the meeting on 14 January, Ambassador Bruce presented an updated list of US men currently missing in Southeast Asia and asked for any information on those men. The other side refused to accept the list, and the US Ambassador and his deputy, Mr. Philip Habib, proceeded to read the 156 names not on previous lists into the record.²⁷

25. (C) Msg, US Del France 291 to State, 7 Jan 71, JCS IN 29585. Public Papers, Nixon, 1970, pp. 825-829.

26. (C) Msg, US Del France 291 to State, 7 Jan 71, JCS IN 29585.

27. (C) Msgs, US Del France 641 and 645 to State, 14 Jan 71, JCS IN 41948 and 42103.

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(C) At the same session, Ambassador Lam repeated an announcement made earlier in a December 1970 session that his government would repatriate a group of sick and wounded NVN prisoners during the Tet holiday period. It was hoped that North Vietnam would reciprocate with a similar action but none was forthcoming. Nevertheless, South Vietnam proceeded with its plan. On 24 January, 37 disabled NVN prisoners were placed in rubber life rafts and allowed to paddle across the Benhai River in the DMZ.²⁸

(C) The South Vietnamese, with US air support, launched a ground incursion into Laos on 8 February 1971, and this action, LAMSON 719,²⁹ dashed any chance of serious negotiations in the spring of 1971. Predictably, Mme. Binh and Xuan Thuy used the 11 and 18 February sessions of the Paris talks as a forum to denounce the South Vietnamese action and charge the United States with extension of the war. Thereafter both of the chief communist delegates boycotted the talks for a six-week period and were represented by their deputies. As a further protest, the communist side cancelled the 25 March session entirely, and the allied side responded by postponing for a week the session scheduled for 1 April.³⁰

28. (C) Msgs, US Del France 641 and 645 to State, 14 Jan 71, JCS IN 41948 and 42103. NY Times, 25 Jan 71, 3.

29. See Chapter 1.

30. (C) Msg, US Del France 2208 to State, 11 Feb 71, JCS IN 14034. (C) Msgs, US Del France 2530 and 2552 to State, 18 Feb 71, JCS IN 27044 and 26955. (C) Msgs, US Del France 2924, 3360, 3841, 4324, and 4921 to State; 25 Feb, 4 Mar, 11 Mar, 18 Mar, and 8 Apr 71; JCS IN 39979, 53238, 66786, 80232, and 98908. NY Times, 28 Mar 71, 13.

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(U) The South Vietnamese troops withdrew from Laos in late March, and on 7 April 1971, President Nixon declared that the results of LAMSON 719 proved the success of Vietnamization. Because of that success, he was able to announce the withdrawal of another 100,000 US forces from South Vietnam during the period May through November 1971, observing that US involvement in Vietnam was coming to an end. He quickly added that the United States would infinitely prefer to end the war even sooner through negotiation. He recalled his 7 October 1970 proposal and appealed to Hanoi to engage in serious negotiations. He "especially" called upon the North Vietnamese to agree to the release of all prisoners throughout Indochina. The President also noted the pressure upon him to set a date for the end of US involvement in Vietnam, and once again explained why he could not. To announce such a date, he said, would throw away the principal US bargaining chip to win the release of US prisoners of war and would remove the enemy's strongest incentive to end the war by negotiation.³¹

(C) Mme. Binh returned to the talks on 8 April only to attack President Nixon for failing to set a date for complete US withdrawal and to state that the United States must bear the responsibility for the impasse in the negotiations. Xuan Thuy rejoined the talks the following week, on 15 April, having indicated beforehand that he would bring a new proposal. But his new proposal turned out to be a reiteration that the United States agree to complete withdrawal by 30 June 1971 or by some other "reasonable" date and accept a peace government in Saigon without President Thieu. Ambassador Bruce dismissed the proposal on 22 April

31. Public Papers, Nixon, 1971, pp. 522-527.

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as the "same old unacceptable preconditions and unreasonable demands," and again set forth the President's 7 October 1970 proposals as a basis for a settlement.³²

(C) Meantime, the allied side continued to press the matter of prisoners. On 8 April, Ambassador Lam suggested to the other side direct repatriation or internment in a neutral country of all able-bodied prisoners of war who had been held for a long time. He also proposed immediate and unconditional release of all sick and wounded prisoners held in South Vietnam who desired to return to the north. Mme. Binh, however, dismissed these suggestions as "US schemes."³³

(C) The allied side raised the prisoner issue again on 29 April, asking the other side to name a specific humanitarian organization or impartial third-party government to inspect and monitor conditions of captivity of all prisoners of war held by both sides. In reply, Xuan Thuy suggested discussion of a date for the withdrawal of all US forces from South Vietnam, the security of the withdrawing troops, and the release of prisoners. The North Vietnamese representative seemed to go a shade farther than in previous positions, implying that the establishment of a withdrawal date would lead to early repatriation of prisoners.³⁴

32. (C) Msgs, US Del France 5624 and 5645 to State, 8 Apr 71, JCS IN 34696 and 34788. (C) Msg, US Del France, 6011 to State, 15 Apr 71, JCS IN 48220. (C) Msg, US Del France 6388 to State, 22 Apr 71, JCS IN 62130. NY Times, 16 Apr 71, 2.

33. (C) Msgs, US Del France 5624 and 5645 to State, 8 Apr 71, JCS IN 34696 and 34788.

34. Msg, US Del France 6903 to State, 29 Apr 71, JCS IN 76201. (C) Msg, US Del France 6950 to State, 29 Apr 71, JCS IN 76359. NY Times, 30 Apr 71, 1.

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(C) Ambassador Bruce posed a series of questions to Xuan Thuy at the meeting the following week, seeking clarification on the relation of a withdrawal deadline to prisoner release. Xuan Thuy's answers, Ambassador Bruce reported to Washington, dispelled any hope that there had been a change in position. North Vietnam insisted that the setting of a date for US withdrawal had to be "unilateral and unconditional" and remained a precondition for discussion of all other questions.³⁵

(U) The allied side continued to seek a prisoner repatriation, and in the latter part of May, the Republic of Vietnam proposed and North Vietnam accepted an offer to return 570 sick and disabled North Vietnamese prisoners of war. Agreed arrangements called for the repatriation to be accomplished on 4 June 1971 with the transfer taking place from civilian ships at sea near the 17th Parallel. On 29 May, the International Committee of the Red Cross interviewed those prisoners identified for return and found only 13 who wished to go back to North Vietnam. Accordingly on 3 June, those 13 were placed aboard ship at Da Nang for a rendezvous the following day with North Vietnamese vessels. But, by means of a statement released in Paris and a radio broadcast in Vietnam after the prisoners were already at sea, North Vietnam cancelled the repatriation because so few of the 570 men offered were being returned. At the next Paris meeting, in June, Ambassador Bruce stated that the allied side remained ready to release all sick and wounded prisoners willing to return, but there was no further action in this area.³⁶

35. (C) Msg, US Del France 7348 to State, 6 May 71, JCS IN 88616.

36. (S-NOFORN-GP 1) COMUSMACV Command History, 1971, p. X-3. NY Times, 4 Jun 71, 1. (C) Msg, US Del France 9980 to State, 10 Jun 71, JCS IN 62334.

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(C) During June the Paris talks were completely stalled. The allies still pressed for prisoner release, and the communists proceeded with demands for a definite deadline for the withdrawal of US forces. Moreover, the release of the Pentagon Papers³⁷ in the course of the month only added to the impasse, allowing Mme. Binh and Xuan Thuy additional opportunities to charge the United States with "lies" and "crimes" over the past ten years.³⁸

(U) On 24 June 1971, Le Duc Tho, a high-ranking NVN government member, arrived in Paris to consult with the NVN delegation, giving rise to speculation that a new communist peace proposal might be forthcoming. This speculation proved accurate, and on 1 July, Mme. Binh announced that the communists were ready to release all war prisoners held in North and South Vietnam by the end of the year if all US troops were removed by that time. Her offer was part of a seven-point PRG proposal that included: (1) complete US withdrawal by the end of 1971 with release of prisoners occurring as the withdrawal was carried out; (2) a coalition government in South Vietnam and the removal of President Thieu; (3) settlement of the question of Vietnamese forces in South Vietnam by the Vietnamese parties concerned; (4) reunification of Vietnam on a step-by-step basis; (5) a foreign policy of neutrality for South Vietnam; (6) US reparations for damage in the two zones of Vietnam; (7) guarantees of respect for the agreement.³⁹

37. See Chapter 2, pp. 118-119.

38. (C) Msgs, US Del France 10419 and 10420 to State, 17 Jun 71, JCS IN 75042 and 75205. (C) Msg, US Del France 10909, 24 Jun 71, JCS IN 87316.

39. Msg, US Del France 11378 to State, 1 Jul 71, JCS IN 99047. NY Times, 25 Jun 71, 1; 2 Jul 71, 1.

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(U) The PRG proposal actually contained little that was new. The principal new element was the promise to release prisoners in exchange for an unconditional US withdrawal by 31 December 1971. Nothing in the proposal met the often stated US condition that South Vietnam must be left with a reasonable chance to defend itself and to determine its own future. It was equally clear that the PRG had put forth the proposal in an effort to increase domestic dissent in the United States. Nevertheless, the proposal did appear to represent progress in the talks, and Ambassador Lam promised to study it. In Washington, a White House spokesman said the offer showed "positive as well as clearly unacceptable elements," but would not elaborate further.⁴⁰

(C) At the next session, on 8 July, Ambassador Lam said that he did not find any significant changes in the other side's demands. Ambassador Bruce agreed, but added that the United States was ready to consider the seven-point proposal. Observing that there were unacceptable aspects to the seven points, Ambassador Bruce asked for further information, presenting Mme Binh a number of questions concerning the other side's willingness to negotiate. He also requested that further discussion of the proposal be conducted in restricted sessions "free from the glare of publicity and without the need to make public statements" Both Mme. Binh and Xuan Thuy rejected the US requests, demanding acceptance of the seven points and unconditional US withdrawal from South Vietnam by the end of the year.⁴¹

40. Msg, US Del France 11378 to State, 1 Jul 71, JCS IN 99047. NY Times, 2 Jul 71, 1.

41. (C) Msgs, US Del France 11772 and 11799 to State, 8 Jul 71, JCS IN 20056 and 20247. NY Times, 9 Jul 71, 1.

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(C) The deadlock of the 8 July meeting remained unbroken in the succeeding sessions in July. Ambassador Bruce pressed for further elaboration on the seven points and for restricted sessions while the communist side adamantly refused both, asserting that the seven points needed no further clarification. At the conclusion of a fruitless session on 29 July 1971, Ambassador Bruce announced that this was his last attendance at the talks, as he was resigning as the US representative. The President confirmed the Ambassador's retirement in Washington and named William J. Porter, currently the US Ambassador to South Korea and former Deputy Ambassador to South Vietnam, as Ambassador Bruce's replacement at the Paris talks.⁴²

(C) During the interim in August 1971, following Ambassador Bruce's departure and before Mr. Porter's arrival in Paris, Mr. Philip Habib, US Deputy at the talks, represented the United States at the weekly meetings. He proceeded to ask for answers to the US questions on the seven-point proposal, but received no satisfaction. It was obvious that North Vietnam and the PRG were marking time awaiting both the arrival of the new US representative and the outcome of the presidential election in South Vietnam scheduled for 3 October 1971.⁴³

(C) After a visit to the United States and a discussion with President Nixon on the negotiations,

42. (C) Msgs, US Del France 12135, 12607, 13004, and 13008 to State; 15 Jul, 22 Jul, 29 Jul, and 29 Jul 71; JCS IN 31795, 43144, 54277, and 54419. NY Times, 29 Jul 71, 12; 30 Jul 71, 3. Dept of State Bulletin, 16 Aug 71, p. 181.

43. (C) Msgs, US Del France 13396, 13769, 14105, and 14512 to State; 5, 12, 19, and 26 Aug 71; JCS IN 65650, 76593, 88451, and 10699.

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Ambassador Porter arrived in Paris in early September and attended his first meeting on 9 September. Ambassador Porter brought no new US proposal to the talks. He met privately with Xuan Thuy before the formal meeting to exchange greetings, but they did not discuss substantive issues. In the plenary session, Ambassador Porter suggested that his arrival presented an opportunity for progress. He emphasized that President Nixon continued to give high priority to the talks and suggested a realistic look at the situation as well as a fresh appraisal of the basis for successful negotiation. The new US representative promised to deal with the PRG's seven points, but repeated the US request for clarification and consideration of them in restricted sessions.⁴⁴

(C) Ambassador Porter's proposal elicited the same response as had those of Ambassador Bruce. In reply, on 9 September, and again the following week, the NVN and PRG representatives rejected the US proposals.⁴⁵

(U) On 21 September 1971, the United States carried out an air strike against air defense targets in the lower part of North Vietnam.⁴⁶ Certainly, the President and his advisers realized, when approving this action, that it would remove any chance of progress in the Paris talks in the coming weeks. Apparently, they considered that the military value of the attack

44. (S) Msg, US Del Paris 15225 to State, 9 Sep 71, JCS IN 34510. (C) Msgs, US Del France 15235 and 15263 to State, 9 Sep 71, JCS IN 34355 and 34610.

45. (C) Msgs, US Del France 15651 and 15676 to State, 16 Sep 71, JCS IN 46591 and 46707. (C) Msgs, US Del France 15235 and 15263 to State, 9 Sep 71, JCS IN 34355 and 34610.

46. See Chapter 5, p. 266.

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outweighed the political disadvantages, finding little in the record of the talks to date to indicate any possibility of an immediate breakthrough there. A columnist in the New York Times speculated that the Nixon Administration had written off the talks for the time being, but wanted to retain the Paris contact with North Vietnam in hope of eventually arranging a prisoner exchange.⁴⁷

(C) In any event, the North Vietnamese and PRG representatives in Paris cancelled the session scheduled for 23 September with only two hours notice. The meetings were resumed the following week, but neither Xuan Thuy nor Mme Binh attended. There followed a period of prolonged absence by the two communist chief delegates. Xuan Thuy's absence lasted for two months; Mme. Binh, who had not been present at a session since 12 August, continued her boycott until well into the following year.⁴⁸

(C) The reelection of President Nguyen Van Thieu in South Vietnam with 94 percent of the vote (although in an unopposed contest) contributed yet another factor to lessen the likelihood of any immediate progress in the Paris talks. Xuan Thuy and Mme. Binh continued to stay away from the meetings and at the 7 October session their subordinates dismissed the South Vietnam election as an "odious farce." On 13 October, the North Vietnamese Embassy in Paris notified Ambassador Porter that Xuan Thuy was suffering from "the grippe." "As a courtesy," he wanted the US delegation to know that he planned an absence from the talks for recuperation--and not for "any procedural reason." Despite

47. NY Times, 23 Sep 71, 43.

48. (C) Msgs, US Del France 16081, 16505, and 16537 to State, 23, 30, and 30 Sep 71, JCS IN 58465, 70246, and 70419.

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this gesture, there was no progress in the talks in the following weeks.⁴⁹

(C) In late October, the allied side again began to press the prisoner issue. To commemorate the inauguration of President Thieu on 31 October, the Republic of Vietnam released approximately 3,000 prisoners who had petitioned for release and had pledged loyalty to the government in the south. Nearly 2,300 of those prisoners were transferred to Chieu Hoi centers and 623 former VC were released to their home provinces. At the Paris session on 28 October, Ambassador Porter praised the impending RVN release as a major humanitarian act and a step toward resolution of the prisoner of war question.⁵⁰

(C) At the meeting the following week, Ambassador Porter pursued the prisoner issue further. The new US representative in his two months in Paris had taken a tougher approach to the talks than his predecessor and on 4 November, he chided the other side's "negative record" on this question. He also accused North Vietnam of sharply reducing the amount of mail it allowed its US prisoners to send home and demanded an explanation.⁵¹

(C) Ambassador Porter informed the Department of State on 8 November that his presentation four days

49. (C) Msgs, US Del France 16896 and 16908 to State, 7 Oct 71, JCS IN 82183 and 82411. NY Times, 8 Oct 71, 4. (S-GP 3) Msg, US Del France 17177 to State, 13 Oct 71, JCS IN 91374.

50. (S-NOFORN-GP 1) COMUSMACV Command History, 1971, (U) p. X-3. (C) Msg, US Del France 18219 to State, 28 Oct 71, JCS IN 26644.

51. (C) Msg, US Del France 18673 to State, 4 Nov 71, JCS IN 38131.

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earlier on the prisoner matter had brought a "wide and favorable reaction." The weekly session scheduled for 11 November had been previously postponed in deference to the French holiday honoring veterans, and Ambassador Porter proposed to cancel the 18 November meeting as further evidence of US concern about and dissatisfaction with the communist attitude on the prisoners. But the Secretary of State did not agree and instructed the Ambassador not to cancel the meeting. Rather, he was simply to state that the United States had made its position clear and had nothing further to say pending a meaningful response from the other side.⁵²

(C) Xuan Thuy returned to the meetings on 18 November, ending his two-month absence. In execution of his instructions, Ambassador Porter limited his remarks at that session to the following statement:

We have repeatedly made our position clear, we are awaiting a constructive reply, and, therefore, have nothing further to say.

The only answer from the other side was criticism of President Nixon's 12 November announcement of further troop withdrawals⁵³ for failing to fix a final withdrawal date for US forces.⁵⁴

(C) The Paris meeting the next week was cancelled by mutual agreement because it fell on Thanksgiving, and two futile meetings followed on 2 and 9 December. Thereafter, the United States cancelled the last three consecutive sessions in December as further indication

52. (S-GP 3) Msg, US Del France 18860 to State, 8 Nov 71, JCS IN 44933. (S-GP 3) Msg, State 209193 to US Del France, 17 Nov 71, JCS IN 61685.

53. See Chapter 3, pp. 159-160.

54. (C) Msgs, US Del France 19531 and 19532 to State, 18 Nov 71, JCS IN 62075 and 62108.

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of its impatience with the progress of the talks. Actually, there was some confusion over who cancelled the last meeting of the year which should have taken place on 30 December. Beginning on 26 December, the United States launched a five-day series of air strikes against North Vietnam,⁵⁵ and on 27 December, the North Vietnamese delegation announced a news conference for the following morning. Anticipating North Vietnamese cancellation of the 30 December meeting, a US liaison officer delivered a note to the North Vietnamese on the morning of 28 December cancelling the forthcoming meeting at nearly the same moment the North Vietnamese were also announcing cancellation of it. Regardless of who was responsible, the 30 December 1971 meeting did not occur, and the Paris talks remained at a complete impasse.⁵⁶

Consideration of Negotiating Positions in 1972

(U) There were no formal reviews of US negotiating positions during 1972 as there had been in the preceding several years. On 25 January 1972, President Nixon presented publicly a peace plan that he had offered privately the previous October.⁵⁷ As already mentioned,⁵⁸ this offer included provision for a cease-fire, but not the one considered by the VSSG Working Group in 1971. Perhaps, the President and his advisers

55. See Chapter 5, pp. 270-271.

56. (C) Msgs, US Del France 20472 and 21017 to State, 2 and 9 Dec 71, JCS IN 85186 and 97692. (S-GP 3) Msg, US Del France 22217 to State, 30 Dec 71, JCS IN 43142. NY Times, 16 Dec 71, 5; 29 Dec 71, 3.

57. For detailed coverage of the offer, see below, pp. 602-605.

58. See above, p. 581.

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planned to use the Working Group cease-fire paper if the enemy proved receptive to the plan and negotiations reached a stage where the issue of a cease-fire came under active consideration. But the situation never reached that point for the North Vietnamese and the PRG rejected the plan.

(S) The question of an in-place cease-fire was raised during the North Vietnamese invasion of South Vietnam in April 1972. At that time, there was growing speculation among US officials that the enemy might make such a proposal to take advantage of his territorial gains in South Vietnam. This possibility was mentioned in the almost daily Washington Special Actions Group (WSAG) meetings in April 1972 that directed the US response to the North Vietnamese offensive and, on two occasions, 10 and 14 April, the Joint Staff (J-5) prepared papers on this subject for the Chairman of the Joint Chiefs of Staff. In the judgment of the J-5, the North Vietnamese long-range goals of unification of all of Vietnam under a communist regime and the extension of its hegemony throughout Indochina remained unchanged. Should North Vietnam make such an initiative, the Joint Staff officers believed that it would be designed to gain major concessions on cease-fire terms while allowing a more favorable position to pursue political goals in Indochina after a cease-fire. The Joint Staff officers also recalled that, on previous occasions, the Joint Chiefs of Staff had consistently opposed any form of cease-fire in-place. "The Joint Chiefs of Staff and the field commanders," they said, "have always opted for a final settlement which includes provisions for a verified mutual withdrawal of all non-South Vietnamese forces from the RVN." Because of military, political, and psychological disadvantages of a possible

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enemy initiative, the United States should not accept an immediate cease-fire in-place if the enemy held major population centers in South Vietnam.⁵⁹

(S) The question of an enemy initiative for an in-place cease-fire was formally scheduled on the WSAG agenda for 28 April 1972, and the Director of the Joint Staff and the Assistant Secretary of Defense (International Security Affairs) provided the Deputy Secretary of Defense and the Chairman of the Joint Chiefs of Staff a position paper for the meeting. The two officials concluded that such a development would be clearly to enemy advantage, resulting in major territorial concessions throughout Indochina, threatening the security of US and South Vietnamese forces, and causing a significant psychological impact on both friendly military forces and civilian population of Indochina. Further, they believed that an enemy cease-fire would permit continuation of covert communist political-military actions, cause political turmoil throughout Indochina, and undermine the credibility of the Nixon Doctrine "in the eyes of other Southeast Asian nations." For these reasons, the Assistant Secretary and the Director reached the same consensus as had the earlier Joint Staff assessments. "From a military viewpoint, the United States should not accept or support any proposal for an immediate cease-fire in-place without pre-conditions which are clearly to

59. (TS) J-5 TP for CJCS, "An Analysis of the Advantages and Disadvantages of the US/GVN Accepting a DRV/PRG Initiative for an Immediate Cease-Fire In-Place (U)," 10 Apr 72, J-5 Files. (TS) J-5 paper for CJCS for use at WSAG Mtg, "Enemy Initiative for Cease-Fire In-Place," 14 May 72, J-5 WSAG Files.

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its advantage." They doubted, moreover, that the enemy would find such conditions acceptable.⁶⁰

(S) Following the 28 April meeting, Dr. Kissinger asked the Under Secretary of State to incorporate the Defense-JCS position, as presented at the meeting, into a new paper in which military views would be balanced with political considerations. The resulting State-Defense paper was presented to the WSAG on 2 May 1972. The recommendation in this paper was that any decision on a cease-fire should not be addressed solely on military merits, but should include various other considerations. An astute public North Vietnamese proposal that included prisoner release would be even more difficult to cope with than a simple cease-fire offer. Additionally, neither Congressional nor public reaction to a US rejection of a cease-fire proposal could be overlooked, especially in an election year. Finally, the ability of North Vietnam to continue a "rolling offensive" in various parts of South Vietnam during the next six months, even without the capture of significant additional territory, would create the impression of the military initiative being retained by Hanoi to the detriment of South Vietnam. Hence the Department of State considered it "imprudent," in advance and in the abstract, to attempt to formulate a precise reaction to an enemy cease-fire offer. Instead, the United States should be prepared to evaluate an offer in the context of the existing military, political, and psychological circumstances. Such preparation, the Department added, should include

60. (TS) ASD(ISA)/DJS TP for DepSecDef and CJCS for WSAG Mtg of 28 Apr 72, "A Military Assessment of an Immediate Cease-fire In-place (U)," n.d., J-5 WSAG Files.

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review of the matter "as objectively as possible" with President Thieu when there was indication such a proposal might be imminent.⁶¹

(U) No enemy cease-fire offer was forthcoming and, consequently, the necessity for US consideration of an appropriate response did not arise. Indeed, President Nixon's 8 May 1972 announcement of the mining of North Vietnamese ports⁶² dashed prospect for an immediate cease-fire offer by the enemy, and the WSAG pursued the matter no further. The expanded cease-fire paper presented on 2 May did, however, remain in the WSAG "Vietnam Issues Book" until 14 June 1972.⁶³

(U) There was no further consideration of the cease-fire issue by US officials during the summer of 1972. In July, the Director of the Joint Staff did raise the possibility of "a fresh look" at the subject of international supervision of a cease-fire in Indochina. He wanted to assure that the United States was not "caught short," but the Assistant Secretary of Defense (International Security Affairs) saw "little profit" in furthering planning in this regard, "at least at this time." Later, in early September 1972, in a discussion of the status of the Paris negotiations, the Deputy Director, J-5, referred to the 1971 VSSG study and its four alternatives, seeming to indicate that the study was still the current US position on the cease-fire question.⁶⁴

61. (S) State-Defense Paper, "Possible North Vietnamese Cease-Fire Offer," 2 May 72, J-5 WSAG Files.

62. See Chapter 7, pp. 380-381.

63. WSAG Vietnam Issues Books, May-Jun 72, J-5 WSAG Files.

64. (U) J5M 1081-72 to DJS, 19 Jul 72; (TS) Memo, DepDir, J-5 to LTG Stillwell, USA, Army OpDep, 8 Sep 72; J-5 Files.

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The Negotiations in 1972

(U) The failure of US officials to prepare further formal negotiating papers undoubtedly reflected the complete absence of any progress in the talks. Until there was some indication of movement at Paris, there was little necessity for additional positions. At the start of 1972, the negotiations to end the war were at a complete standstill would remain so throughout the ensuing months. Almost three years of futile talks had brought the opposing sides no nearer to a settlement than when they began meeting in January 1969. President Nixon, however, who faced a reelection campaign in 1972, remained optimistic. In a televised interview on 2 January 1972, he foresaw "a possibility" for progress in the talks. He cited the US offers for a cease-fire throughout Indochina, total US withdrawal, and prisoner exchange and called upon the other side to consider these proposals seriously when the meetings in Paris resumed the following week.⁶⁵

(C) The Paris talks reconvened on 6 January 1972 after a three-week interruption⁶⁶ and continued regularly throughout the remainder of the month. But no progress resulted. The United States and South Vietnam pressed for acceptance of their proposals, especially on matters relating to the prisoners, but the other side remained intransigent. The communist representatives maintained that the United States could have its prisoners back when it withdrew all its forces from Vietnam and stopped backing the Thieu regime. Beginning at the session on 13 January the representative of the Republic of Vietnam began to take a more prominent role in the talks. In accord with a policy

65. (U) Public Papers, Nixon, 1972, pp. 3-5.

66. See above, pp. 595-596.

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suggested by Ambassador Porter and approved by the Secretary of State, South Vietnam spoke on problems concerning South Vietnamese internal problems while the United States addressed matters of direct US concern, such as troop withdrawal and prisoner release.⁶⁷

(U) In late January 1972, President Nixon decided that action was needed to get the negotiations moving and, perhaps, at the same time, to end some of the political divisiveness in the United States over a solution to the Vietnam conflict. In a television address on 25 January, he recounted that over the past three years, the United States had made a series of public offers to end the war, but these had all been rejected. Now he thought "the purpose of peace" would best be served by publicly revealing other proposals that had been made privately. "Nothing is served by silence," the President said, "when the other side exploits our good faith to divide America and to avoid the conference table. Nothing is served by silence when it misleads some Americans into accusing their own government of failing to do what it has already done." Just as secret negotiations could sometimes break a public deadlock, the President hoped that public disclosure now might help break a secret deadlock.

(U) President Nixon then revealed that, beginning on 4 August 1969, Dr. Kissinger had traveled to Paris on 12 occasions to hold secret negotiations with the North Vietnamese. He met seven times with Hanoi

67. (C) Msgs, US Del France 326 and 338 to State, 6 Jan 72, JCS IN 52406 and 52604; (S-GP 3) Msg, US Del France 455 to State, 10 Jan 72, JCS IN 58397. (S) Msg, State 4910 to US Del France, 11 Jan 72, JCS IN 60115. (C) Msgs, US Del France 752 and 803 to State, 13 Jan 72, JCS IN 64026 and 64422. (C) Msgs, US Del France 1261 and 1294 to State, 20 Jan 72, JCS IN 76862 and 77186. NY Times, 7 Jan 72, 1.

Politburo member Le Duc Tho and five times with Xuan Thuy, but no progress had resulted. On 31 May 1971, the United States had offered to set a deadline for US withdrawal in return for the release of all prisoners of war and a cease-fire. The North Vietnamese had rejected this proposal at a private meeting on 26 June 1971, countering with a nine-point plan that included the overthrow of the Government of South Vietnam. Five days later, on 1 July 1971, the PRG had publicly offered its seven-point proposal at the weekly Paris session.⁶⁸ This development placed the United States in a quandary. Should it respond to the secret nine-point or the public seven-point plan? Dr. Kissinger inquired at another secret meeting on 12 July 1971 and received an answer that the United States should deal with the nine-point proposal. Meantime, both North Vietnam and the PRG heaped public invective on the United States for failing to reply to the public seven-point plan.

(U) The President went on to reveal that, in a subsequent private meeting on 16 August 1971, the United States had offered a complete US withdrawal within nine months of an agreement on an overall settlement, suggesting a terminal date of 1 August 1972 provided an agreement was signed by 1 November 1971. This, too, was rejected by the North Vietnamese. In October 1971, President Nixon had made yet another attempt to break the deadlock. After consultation with President Thieu, Mr. Nixon had sent the North Vietnamese a private communication on 11 October 1971 with a new peace offer and urged a private meeting between Dr. Kissinger and Le Duc Tho. North Vietnam replied suggesting a meeting on 20 November 1971, but three days

68. See above, p. 589.

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before that date cancelled the meeting, stating that Le Duc Tho was ill. The United States had then offered to meet with Tho as soon as he was recovered or with any other authorized leader "who could come from Hanoi." There had been no further response from North Vietnam, the President said, except increased troop infiltration into the south and military offensives in Laos and Cambodia.⁶⁹

(U) The President had now decided to make public his 11 October 1971 offer. He presented the proposal on behalf of the United States and "the Government of South Vietnam, with the full knowledge and approval of President Thieu." It included the following eight points: (1) withdrawal of all US and allied forces from South Vietnam within six months of an agreement; (2) release of all prisoners; (3) acceptance of the principle that the political future of South Vietnam should be decided by the people of South Vietnam, provision for a free and democratic presidential election in South Vietnam within six months of an agreement, and the resignation of President Thieu and Vice President Huong one month before the election; (4) respect by both sides of the 1954 Geneva agreements on Indochina and those of 1962 on Laos; (5) settlement of problems among the Indochinese

⁶⁹. Subsequently, on 1 February 1972, the White House Press Secretary acknowledged that the United States had turned down on 20 November 1971 a North Vietnamese proposal for a private meeting with Xuan Thuy. The Press Secretary stated that the negotiations could not be productive unless conducted by a member of Hanoi's political leadership. Thus it appeared that North Vietnam cut off the secret negotiations at the Politburo level while the United States declined to continue them at a working level. NY Times, 2 Feb 72, 3.

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countries by the Indochinese parties on the basis of mutual respect for independence, sovereignty, territorial integrity, and noninterference in each other's affairs; (6) a general cease-fire throughout Indochina to begin when the agreement was signed; (7) international supervision of the military aspects of the agreement; (8) an international guarantee for the fundamental national rights of the Indochinese peoples. The President had instructed Ambassador Porter to present this plan at the next Paris plenary session.

(U) President Nixon stated that the United States was ready to negotiate on this plan and to conclude a comprehensive agreement on all military and political issues. He considered the proposal "generous"; the only thing it did not include was the overthrow of "our ally," which "the United States of America will never do." Should the enemy reject this offer, the United States would continue to end its involvement by withdrawing remaining forces as the South Vietnamese developed their capability to defend themselves. Should the enemy step up his military attacks, President Nixon was fully prepared to "meet my responsibility as Commander in Chief of our Armed Forces to protect our remaining troops." He did not prefer such a course, rather he hoped that the negotiations would proceed.⁷⁰

(C) In Paris, on the following day, both the North Vietnamese and the PRG delegations issued statements denouncing the President's plan as a "perfidious maneuver to deceive the American electorate in an election year" and as a scheme to maintain US puppet regimes in Indochina. On 27 January 1972, at the regular session

⁷⁰. Public Papers, Nixon, 1972, pp. 100-106. NY Times, 26 Jan 72, 1.

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of the Paris talks, Ambassador Porter and South Vietnamese Ambassador Lam formally introduced the eight-point plan. The communist delegates again denounced the offer and attacked President Nixon for disclosing the secret talks. They repeated their long standing position that there could be no settlement until the United States set a specific withdrawal date and the present South Vietnamese government was ousted. Both, however, stopped short of a categorical rejection of the offer, leaving some encouragement that meaningful negotiation might follow.⁷¹

(C) Any hope that the President's disclosure of the secret eight-point plan might bring some movement in the talks was quickly dispelled. On 31 January 1972, North Vietnam made public in Paris the nine-point plan of the previous June, charging that the United States had never seriously considered it. At the following session, on 3 February, both the PRG and the North Vietnamese representatives dismissed President Nixon's plan as unacceptable and presented a revised version of the PRG seven-point offer of 1 July 1971. At first glance this revised offer appeared more conciliatory, but it still called for "a precise date" for complete and unconditional US withdrawal and a political settlement in South Vietnam that encompassed the resignation of President Thieu.⁷²

(U) During January and early February 1972 a hardening in the North Vietnamese position had begun to

71. NY Times, 27 Jan 72, 1 and 15; 28 Jan 72, 1. (C) Msgs, US Del France 1714 and 1722 to State, 27 Jan 72, JCS IN 89423 and 89663. (LOU) Final Transcript, Paris Meetings on Vietnam, 142d Plenary Sess, 27 Jan 72, J-5 Negotiations Files (in RAIR).

72. NY Times, 1 Feb 72, 1; 4 Feb 72, 1. (C) Msgs, US Del France 2198 and 2202, 3 Feb 72, JCS IN 11892 and 11787.

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emerge from the various statements of its representatives in Paris. On 6 February 1972, Xuan Thuy made this change explicit in a television interview. He stated that North Vietnam would no longer consider separately the political and military issues of the war as it had been prepared to do during the previous summer. He made clear that the establishment of a date for the removal of all US forces from Vietnam would no longer be sufficient for a settlement. Now North Vietnam and the PRG insisted upon the immediate resignation of President Thieu as the principal condition for a rapid ending of the war. President Nixon was quick to respond to this new demand. "Under no circumstances," he told a press conference on 10 February, "are we going to negotiate with our enemy in a way that undercuts our ally."⁷³

(C) Thereafter, the Paris talks settled again into a familiar deadlock. At the 10 February session, the communist side repeated its denunciation of the allied eight-point offer and held fast to its position of the previous week. At the conclusion of the meeting, Ambassador Porter refused to agree to meet the following week. His announced reason was to protest a three-day anti-war rally of delegates from some 75 countries gathering at Versailles. He informed the Department of State on 21 February that the cancellation of the meeting left the other side "unusually perturbed." He believed their reaction confirmed earlier signs that the communists felt a strong need for the Paris talks. This was especially true of the PRG who, unlike North Vietnam, had no other useful propaganda outlet in the West. Moreover, the US Ambassador considered that both North Vietnam and the

⁷³. NY Times, 7 Feb 72, 1. Public Papers, Nixon, 1972, pp. 351-352.

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PRG were anxious to hold the sessions during President Nixon's visit to Peking (21-28 February 1972) in order to keep Chinese attention focused on their cause as well as to demonstrate to the United States that the visit would change none of their demands.⁷⁴

(C) The Paris meetings reconvened on 24 February, but the communist side walked out in protest against increased US B-52 and tactical bombing raids in Vietnam and the movement of extra US aircraft carriers off the Vietnamese coast--actions taken by the United States in light of the increasing indications of an impending North Vietnamese offensive. Subsequently, the United States and South Vietnam refused to meet on 2 and 9 March, citing the other side's lack of cooperation. Both sides returned to the table on 16 March where the United States proposed an international inspection of prisoner-of-war camps. The following week, on 23 March, Ambassador Porter brought out the other side's intransigent attitude to date in the negotiations and questioned the usefulness of continuing the Paris discussions in their present form. Consequently, he suspended the meetings. The allied side, he said, would come back to the meetings when the other side showed some sign it was "disposed to engage in meaningful exchanges." The following day, President Nixon confirmed the suspension, stating that the United States was trying to break a three-year North Vietnam "filibuster" at the Paris talks.⁷⁵

74. (C) Msgs, US Del France 2699 and 2704 to State, 10 Feb 72, JCS IN 23244 and 23520. NY Times, 11 Feb 72, 17. (S-GP 3) Msg, US Del France 3267 to State, 21 Feb 72, JCS IN 41126.

75. (S-GP 3) Msg, US Del France 3458 to State, 24 Feb 72, JCS IN 46082. (S-GP 3) Msgs, US Del France 5091 and 5137 to State, 16 Mar 72, JCS IN 85056 and

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(U) The massive North Vietnamese invasion of South Vietnam which began on 30 March 1972⁷⁶ and the subsequent retaliatory US air strikes against North Vietnam foreclosed any chance of an immediate resumption of the Paris talks. Some viewed the offensive as the last all out North Vietnamese military effort and a possible prelude to serious negotiation. In any event, on 20 April, the North Vietnamese and PRG proposed a resumption of the talks, indicating that they would meet whether or not the United States halted its bombing attack. Another hopeful sign for the negotiations was an announcement on 25 April by Dr. Kissinger that he had visited Moscow the previous week. He indicated that his discussions had included Vietnam although he provided no further details.⁷⁷

(U) On 26 April, President Nixon reviewed the Vietnam situation in a television address. On the basis of the current assessment of General Abrams, and after consultation with President Thieu, Ambassador Bunker, Ambassador Porter, and his senior advisers in Washington, the President announced three decisions: he had decided that Vietnamization had been proved sufficiently successful to allow the United States to continue withdrawal of its forces despite the current offensive; he had directed Ambassador Porter to return to the Paris negotiating table the following day; and he had ordered continuation of the US air and naval

85372. (C) Msgs, US Del France 5606 and 5682 to State, 23 Mar 72, JCS IN 98668 and 99598. NY Times, 8 Mar 72, 2; 17 Mar 72, 9; 24 Mar 72, 1. Public Papers, Nixon, 1972, p. 488.

⁷⁶. See Chapter 7.

⁷⁷. NY Times, 9 Apr 72, 1; 21 Apr 72, 1; 26 Apr 72, 1.

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attacks on military installations in North Vietnam until the North Vietnamese stopped their offensive in the south. In announcing the US return to the talks, the President made no new offer. The United States was not resuming the Paris meetings, he said, simply to hear more "empty propaganda and bombast." Rather it was returning with "the firm expectation that productive talks leading to rapid progress will follow through all available channels." The first order of business would be to secure a halt to the enemy invasion and the return of US prisoners.⁷⁸

(C) On 27 April 1972, the allied and communist delegates, including Mme Binh who had not attended the meetings since 12 August 1971, reassembled around the conference table at the Majestic Hotel. The allied side requested an end to the invasion and a withdrawal of the North Vietnamese troops from South Vietnam, but received in reply only criticism for prolonging the war. In fact, the only agreement at the meeting was to meet the following week.⁷⁹

(C) Three days later, on 30 April, Le Duc Tho arrived in Paris from Hanoi, stating that he was there to negotiate with the United States for "a just and equitable peaceful solution of the Vietnamese problem." But while the North Vietnamese talked of peaceful solution in Paris, they maintained their offensive on the South Vietnam battlefield, and a subsequent meeting on 4 May brought no indication that the communists were prepared to end their offensive. Ambassador Porter put to the other side eight

78. Public Papers, Nixon, 1972, pp. 550-554.

79. (C) Msgs, US Del France 8073 and 8126 to State, 27 Apr 72, JCS IN 76182 and 76564.

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questions dealing with its readiness to negotiate. When the North Vietnamese and PRG representatives did not reply, Ambassador Porter suspended the talks, stating that the allied side would be ready to resume when the other side gave some indication that discussions could be useful.⁸⁰

(U) On 8 May 1972, President Nixon again addressed the nation over television to announce a further decision with regard to Vietnam. He recounted that the United States had responded to the massive North Vietnamese offensive by undertaking "wide-ranging new peace efforts." He had sent Dr. Kissinger to Moscow to emphasize the US desire for a rapid solution and had resumed the Paris talks. Further, the President revealed that Dr. Kissinger had met secretly with Le Duc Tho in Paris on 2 May. But, in both the private and public contacts, the United States had heard only "bombastic rhetoric." Mr. Nixon then briefly reviewed the various US and RVN offers for peace and stated that there were only two issues left for the United States in the war. "First, in the face of a massive invasion do we stand by, jeopardize the lives of 60,000 Americans, and leave the South Vietnamese to a long night of terror? . . . Second, in the face of complete intransigence at the conference table do we join with our enemy to install a Communist government in South Vietnam?" These things, the President said, the United States would never do. In the current situation, he foresaw three possible choices for the United States: immediate withdrawal; continued attempts at negotiation; or "decisive military action to end the war." The first

⁸⁰. NY Times, 1 May 72, 1; 2 May 72, 21. (C) Msgs, US Del France 8611 and 8581 to State, 4 May 71, JCS IN 90370 and 89985.

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choice was politically impossible for the President, and the second had proved unsuccessful despite repeated efforts during the past three years. Therefore, the President concluded: "It is plain then that what appears to be a choice among three courses of action for the United States is really no choice at all." He then proceeded to announce his decision to mine the entrances to the North Vietnamese ports and to continue air and naval strikes against military targets in North Vietnam in order to deprive that country of the weapons and supplies needed to continue its aggression.⁸¹ These actions would cease, the President stated, when all US prisoners of war were returned and when there was an internationally supervised cease-fire throughout Indochina. At such time, the United States would also be prepared to withdraw all its forces from Vietnam within four months.⁸²

(U) Predictably, the North Vietnamese and the PRG denounced the US action, but Le Duc Tho remained in Paris stating that he was ready for serious negotiation. Thereafter, on 16 May and again on 30 May, the communist delegates in Paris proposed a resumption of the talks, but the United States ignored these initiatives. Ambassador Porter returned to Washington in mid-May for prolonged consultations, and the suspension of the talks continued throughout the remainder of the month.⁸³

(U) During June 1972, indications began to appear that both sides were prepared to resume the Paris talks. On 12 June, Ambassador Porter returned to Paris, stating upon his arrival that President Nixon

81. See Chapter 7, pp. 380-381.

82. Public Papers, Nixon, 1972, pp. 583-587.

83. NY Times, 13 May 72, 1; 17 May 72, 17; 31 May 72, 6.

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was "intensely" interested in arriving at some kind of negotiated settlement in Vietnam. At the same time, Xuan Thuy, who was in Hanoi, said that he would return "soon" to Paris with new directives. Then, on 29 June, President Nixon announced that the United States and South Vietnam would return to the Paris sessions on 13 July 1972.⁸⁴

Prospects Begin to Look Up

(C) On 13 July 1972, the four parties resumed the weekly plenary sessions of the Paris talks, and these meetings continued throughout July and during August. Neither side budged from its established position, but there was a subtle change in the tone of the meetings. Absent was much of the invective and abusive language of earlier sessions and a sense of restraint seemed to be discernible. Moreover, the North Vietnamese now appeared to be calling only for the United States to stop supporting President Thieu rather than demanding his removal as had previously been the case.⁸⁵

84. NY Times, 13 Jun 72, 1. Public Papers, Nixon, 1972, p. 706.

85. Final Transcripts, Paris Meetings on Vietnam, 150th Plenary Sess, 13 Jul 72, and 152d Plenary Sess, 27 Jul 72, J-5 Negotiations Files (in RAIR). (C) Msgs, US Del France 13955 and 13975 to State, 20 Jul 72, JCS IN 60296 and 59705; US Del France 14867 and 14891 to State, 3 Aug 72, JCS IN 85227 and 85602; US Del France 15312 to State, 10 Aug 72, JCS IN 98929; US Del France 15621 and 15660 to State, 17 Aug 72, JCS IN 21270 and 21501; US Del France 16096 and 16098 to State, 24 Aug 72, JCS IN 34684 and 34946; US Del France 16514 and 16544 to State, 31 Aug 72, JCS IN 47589 and 48000. (C) Dept of State, Bureau of Intelligence and Research, Intelligence Note, "Communist Shift in Paris?." 18 Jul 72, J-5 Files.

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(U) It was rapidly apparent, however, that any progress in the negotiations would come from the private talks rather than in the semi-open plenary sessions. Le Duc Tho returned to Paris on 15 July 1972, expressing readiness to resume his dialogue with Dr. Kissinger. The two men met privately on 19 July and again on 1 and 14 August. No details on their discussions were released, but following the 14 August meeting, Dr. Kissinger traveled to Saigon to talk with President Thieu and Le Duc Tho returned to Hanoi, giving rise to speculation that the private talks were progressing. Moreover, there seemed to be signs that the communist side might be modifying its position. Intelligence sources reported PRG notification to army, political, and bureaucratic cadres that a cease-fire might require a temporary acceptance of Nguyen Van Thieu as the leader of the South Vietnam regime.⁸⁶

(U) Further hopeful signs in August and early September added to the speculation and rumors of an approaching settlement. On 11 August, the last US ground combat unit, the Third Battalion, 21st Infantry, was deactivated in South Vietnam, and on 29 August, the White House Press Secretary announced that 12,000 additional US troops would be withdrawn from Vietnam over the following three months. Then on 2 September, the North Vietnamese national day, officials in Hanoi announced the release of three US pilots held prisoner in North Vietnam.⁸⁷

86. NY Times, 16 Jul 72, 4; 20 Jul 72, 1 and 4; 2 Aug 72, 1; 15 Aug 72, 1; 16 Aug 72, 1; 18 Aug 72, 1.

87. NY Times, 12 Aug 72, 1; 30 Aug 72, 1; 2 Sep 72, 1. Public Papers, Nixon, 1972, p. 830n.

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(C) During September and in early October, the plenary sessions met in Paris week after week. On 11 September, the PRG broadcast from Hanoi a statement of its terms for a peace settlement. The PRG called for a solution to the internal problems of South Vietnam based on the actual existing situation and for a provisional "government of national concord." The PRG was ready, the broadcast said, to agree that neither "a Communist regime nor a U.S. stooge regime" should be imposed on South Vietnam. The following two Paris sessions on 14 and 21 September were devoted almost entirely to discussion of this statement, but no consensus emerged.⁸⁸

(U) Meantime, attention focused on the private meetings where events appeared to be building toward a climax. Dr. Kissinger and Le Duc Tho continued their talks in Paris, meeting on 15 September and for a two-day session on 26-27 September. Again no details were released, but on 1 October, Major General Alexander M. Haig, USA, Dr. Kissinger's assistant, went to Vietnam to see President Thieu. Spokesmen indicated the discussions included developments in the Paris talks, adding to the growing rumors of an approaching Paris accord.⁸⁹

88. (C) Msgs, US Del France 16862 to State, 7 Sep 72, JCS IN 59390; US Del France 17367 and 17378 to State, 14 Sep 72, JCS IN 74406 and 74806; US Del France 17869 and 17876 to State, 21 Sep 72, JCS IN 88251 and 88945; US Del France 18387 to State, 28 Sep 72, JCS IN 11999; US Del France 18906 to State, 5 Oct 72, JCS IN 25610; US Del France 19408 to State, 12 Oct 72, JCS IN 38120. NY Times, 12 Sep 72, 12.

89. NY Times, 16 Sep 72, 3; 27 Sep 72, 1; 28 Sep 72, 1; 5 Oct 72, 4.

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(U) At a news conference on 5 October, President Nixon was asked about the possibility of a negotiated settlement. He replied that one would come "just as soon as we can possibly get a settlement which is right--right for the South Vietnamese, the North Vietnamese and for us," one that would secure the return of US prisoners, and one that would not impose a communist regime on South Vietnam. He also indicated that the timing of a settlement would not be influenced by the approaching election in the United States. "If we can make the right kind of a settlement before the election," he said, "we will make it. If we cannot, we are not going to make the wrong kind of settlement."⁹⁰

(U) The rumors of an impending Vietnam settlement received added impetus when Dr. Kissinger and Le Duc Tho met again in Paris on 8 October. It was, in fact, at this meeting that a real breakthrough came. Le Duc Tho presented a draft agreement to end the war that, in Dr. Kissinger's words: "enabled us to accelerate the negotiations. Indeed, for the first time they made a proposal which made it possible to negotiate concretely at all." The North Vietnamese draft, by dropping the demand for a coalition government in South Vietnam, allowed for the continuance of the Thieu regime, a point long insisted upon by the United States. The draft agreement provided for a cease-fire to be followed within 60 days by the return of prisoners and the removal of all US forces; thereafter "the two present administrations in South Vietnam" would settle internal questions between themselves. The mechanism to accomplish the internal settlement would be a "National Council of Reconciliation and Concord" composed of

90. Public Papers, Nixon, 1972, p. 953.

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representatives of the Republic of Vietnam and the PRG as well as "neutral members." The draft agreement, however, contained no provision for withdrawal of North Vietnamese troops from the south since Le Duc Tho still maintained the fiction that none were there.⁹¹

(U) Dr. Kissinger and Le Duc Tho discussed the draft for four consecutive days and agreed on a tentative schedule for proceeding with the negotiations. They would meet again in Paris on 17 October to resolve remaining issues. Thereafter, Dr. Kissinger would go to Saigon to present the agreement to President Thieu and secure his approval. Subsequently, Dr. Kissinger would travel on to Hanoi where he would initial the agreement with the North Vietnamese on 22 October. Then Dr. Kissinger would return to Washington and a joint announcement would follow on 26 October. The cease-fire would take effect on 30 October when the agreement would be formally signed in Paris by the foreign ministers of each party.⁹²

(U) On 12 October, Dr. Kissinger returned to Washington and reported to the President. Since Dr. Kissinger had promised some indication of the President's reaction within 48 hours, Mr. Nixon sent a

91. The official documents dealing with the secret peace negotiations between the United States and North Vietnam during 1972, including reports by Dr. Kissinger to President Nixon and message exchanges between President Nixon and the North Vietnamese, were not available when this account was written. The sequence of events in October 1972 related in this chapter was pieced together from statements subsequently issued by the North Vietnamese and Dr. Kissinger on 26 October (printed in the NY Times, 27 Oct 72, 18 and 19) and the account by Richard Nixon in The Memoirs of Richard Nixon (1978), pp. 687-707. For the substance of the draft agreement presented on 8 October, see the NVN and Kissinger statements and Nixon, Memoirs, pp. 691-692.

92. Nixon, Memoirs, p. 693

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message to the North Vietnamese in Paris the following day, 13 October. He accepted the North Vietnamese draft subject to several substantive changes and resolution of "some technical issues." As a further indication of his reaction, President Nixon ordered a restriction of the bombing of North Vietnam. At no time during the consideration of the draft agreement in October were the Joint Chiefs of Staff provided a copy of it or afforded an opportunity to review it.⁹³

(U) As previously agreed, Dr. Kissinger flew back to Paris on 17 October, meeting this time with Xuan Thuy. Only a few areas of disagreement remained at the conclusion of the session. Dr. Kissinger refused to accept the North Vietnamese position for the release of all civilian political prisoners held by the Republic of Vietnam; Xuan Thuy opposed a strict US interpretation of provisions for the replacement of war materiel following the cease-fire and refused to give what Dr. Kissinger considered "satisfactory language" regarding US POWs held in Laos and Cambodia.⁹⁴

(U) Following this 17 October meeting, Dr. Kissinger flew on to Saigon where he was joined by the newly sworn in US Army Chief of Staff and former COMUSMACV, General Creighton Abrams. Meantime, on 18 October, President Nixon wrote to the North Vietnamese. Another meeting would be needed between Dr. Kissinger and Le Duc Tho, he said, to settle the remaining issues. The North Vietnamese, however, replied accepting the US position on materiel replacement, and President Nixon wrote backing stating that "the agreement could now

93. Ibid., p. 693. Interview, Robert J. Watson with ADM Thomas H. Moorer, 16 May 79. For coverage of the bombing restriction, see Chapter 7, pp. 436-437.

94. Nixon, Memoirs, pp. 694-695.

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be considered complete." Only the questions of the arrangements for the cease-fire and the return of US POWs in Cambodia and Laos still had to be "clarified," and President Nixon told the North Vietnamese "once these problems had been taken care of, we could be counted on to proceed with the schedule as amended, leading to the signing [of the agreement] on October 31." On 21 October the North Vietnamese accepted the US position on the cease-fire arrangements and POWs in Laos and Cambodia. Agreement between the United States and North Vietnam was now complete, and on 22 October, the United States ceased all air and naval gunfire operations against North Vietnam in the area above 20° north effective 0700 Vietnam time, 23 October.⁹⁵

(U) The one remaining hurdle before the agreement could be implemented was the approval of President Thieu. He had been indicating increasing apprehension with the progress of events, fearing a settlement that included a coalition government in South Vietnam. On 12 October, he had publicly declared his opposition to such an eventuality. History had proved, he said, that "coalition with the Communists meant death." For South Vietnam, he continued, the best answer was military victory. "We have to kill the Communists to the last man before we have peace." Subsequently, President Thieu summoned home his representative at the Paris talks, Ambassador Phan Dang Lam, as well as the South Vietnamese Ambassadors in Washington and London for consultations on the latest developments in the peace efforts.⁹⁶

95. Ibid., p. 695. For coverage of the bombing restriction, see Chapter 7, pp. 437-438.

96. NY Times, 13 Oct 72, 1 and 4; 16 Oct 72, 1.

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(U) Dr. Kissinger and General Abrams arrived in Saigon on 18 October with the task of presenting the agreement to the South Vietnamese. Dr. Kissinger carried a letter from President Nixon, urging Nguyen Van Thieu that there was "no reasonable alternative but to accept this agreement," and assuring him that the United States would view any breach of faith by the North Vietnamese with utmost gravity. As a further inducement, President Nixon approved on 20 October Project ENHANCE PLUS,⁹⁷ the infusion of large amounts of military supplies and equipment into South Vietnam before a cease-fire.⁹⁸

(U) Dr. Kissinger met with President Thieu and members of his government during the period 18-22 October. On 21 October, President Nixon sent Dr. Kissinger additional instructions. If President Thieu appeared unwilling to accept the agreement, Dr. Kissinger was to warn him that the United States might consider making a separate peace with North Vietnam. Later that day, when the last remaining issues between the United States and North Vietnam had been resolved, President Nixon sent a further message to President Thieu urging him to accept the agreement. President Nixon pointed out "practical and compelling" reasons:

Were you to find the agreement to be unacceptable at this point and the other side were to reveal the extraordinary limits to which it has gone in meeting demands put upon them, it is my judgment that your decision would have the most serious effects upon my ability to continue to provide support for you and for the government of South Vietnam.⁹⁹

97. See Chapter 9, pp. 499-501.

98. Nixon, Memoirs, pp. 696-697.

99. Ibid., pp. 698-700.

The Aborted Settlement

(U) On 22 October, President Thieu rejected the entire agreement. Any settlement, he insisted to Dr. Kissinger, must provide for total withdrawal of the North Vietnamese forces from South Vietnam, absolute guarantees of the DMZ, and "total self-determination of South Vietnam." He also feared that the proposed "National Council of Reconciliation and Concord" was merely a disguised coalition government. Dr. Kissinger met with President Thieu again on 23 October in a final attempt to dissuade him from his opposition, but failed to do so.¹⁰⁰

(U) President Nixon now had no choice but to ask for a delay in the implementation of the agreement. Accordingly, on 23 October, he asked the North Vietnamese for one final meeting to attempt to resolve the issues raised by President Thieu. The North Vietnamese, however, held to the implementation schedule already worked out and an impasse ensued.¹⁰¹

(U) On the morning of 26 October 1972, Radio Hanoi announced that North Vietnam and the United States had agreed on a cease-fire in Vietnam, but that subsequently the United States had reneged, citing difficulties with the South Vietnamese. The broadcast outlined the terms of the agreement worked out between North Vietnam and the United States as well as the schedule for implementation with the anticipated signature of the final document on 31 October.¹⁰²

(U) At the regular weekly session of the Paris talks on the same day, Xuan Thuy put into the record the text of the nine-point agreement stating that the

100. Nixon, Memoirs, pp. 702-703.

101. Ibid., p. 703.

102. NY Times, 27 Oct 72, 1 and 19.

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United States had accepted it on 22 October. This document filled out in more detail the settlement announced earlier by the Hanoi broadcast. Xuan Thuy proceeded to castigate the United States for accepting a settlement and then raising obstacles. All the while, he maintained, the United States was doing everything possible to convince public opinion of its efforts toward a peaceful settlement. Thus North Vietnam had no choice, Xuan Thuy said, but to reveal the actual status of the negotiations in order to set forth the "truth."¹⁰³

(U) Later on 26 October, Dr. Kissinger held a press conference to clarify the US position on a possible settlement. "We believe peace is at hand," he told the waiting reporters. He confirmed the substance of the agreement under consideration between the two countries as announced by the North Vietnamese, stating "we have no complaint with the general description of events as it was given by Radio Hanoi." With regard to the schedule for completion of the agreement, Dr. Kissinger said that the United States had agreed to make "a major effort" to conclude the negotiations by 31 October. It was true, he continued,

that we did from time to time, give schedules by which this might be accomplished. It was, however, always clear, at least to us--and we thought we made clear in the records of the meetings--that obviously we could not sign an agreement in which details remained to be worked out simply because in good faith we had said we would make an effort to conclude it by a certain date.

¹⁰³. (C) Msgs, US Del France 20448 and 20483 to State, 26 Oct 72, JCS IN 64382 and 64889. Final Transcript, Paris Meetings on Vietnam, 164th Plenary Sess, 26 Oct 72, J-5 Negotiations Files (in RAIR).

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It was always clear that we would have to discuss anything that was negotiated first in Washington and then in Saigon.

Dr. Kissinger admitted the South Vietnamese reluctance to accept the agreement, stating that the South Vietnamese had "every right" to have their views heard. Nevertheless, the United States would make its own decisions, he said, and Hanoi was mistaken to believe that the United States could simply impose any solution on South Vietnam.

(U) Dr. Kissinger believed that by far the greater difficulties in reaching a settlement had been overcome, and he described, in general terms, the obstacles still to be resolved. In addition to the question of South Vietnamese acceptance of the settlement, he enumerated the question of the actual form of the final document, precision of language dealing with cease-fire and the international supervisory body, and linguistic refinements to insure that both English and Vietnamese versions conveyed the same meanings. He did not mention, however, the more major issues of the DMZ and removal of North Vietnamese troops raised by President Thieu. Nonetheless, Dr. Kissinger was optimistic. The remaining questions, he said, could be settled in one more meeting, and the United States was willing to stay at that meeting for as long as necessary to complete the agreement.¹⁰⁴

(U) The matter of a possible settlement in Vietnam fell into a state of suspended animation during the remaining days of October. There was much speculation

¹⁰⁴. News Conference by Dr. Henry A. Kissinger, 26 Oct 72, Weekly Compilation of Presidential Documents, 30 Oct 72, pp. 1565-1571. NY Times, 27 Oct 72, 1 and 18.

in the press, and officials in Washington, though unwilling to be quoted, were convinced that a settlement was imminent even if not by 31 October. But no announcement or further action followed, and there was no indication that North Vietnam had followed up Dr. Kissinger's call for a further meeting to complete the agreement. With the US Presidential election little more than a week away, North Vietnam, obviously, wanted to cause Mr. Nixon as much domestic political embarrassment as possible over the aborted settlement. Nor did President Nguyen Van Thieu abandon his objection to the proposed agreement.¹⁰⁵

(U) Tuesday, 31 October 1972, passed without a settlement, and at the Paris meeting, on 2 November, the communist side spent the entire session chiding the United States for failing to sign the agreement. On the evening of 2 November, in the course of a political address to the nation, President Nixon cited the "major breakthrough" toward the goal of peace in Vietnam, but quickly added that "some issues" still remained. He went on to explain:

We want peace--peace with honor--peace fair to all and a peace that will last. That is why I am insisting that the central points be clearly settled, so that there will be no misunderstandings which could lead to a breakdown of the settlement and a resumption of the war.

I am confident that we will soon achieve that goal.

But we are not going to allow an election deadline or any other kind of deadline to force us into an

¹⁰⁵. NY Times, 28 Oct 72, 1; 30 Oct 72, 1; 31 Oct 72, 1.

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agreement which would be only a temporary truce and not a lasting peace. We are going to sign the agreement when the agreement is right, not one day before. And when the agreement is right, we are going to sign, without one day's delay.¹⁰⁶

(U) Democratic President candidate Senator George S. McGovern did not accept the President's explanation. Senator McGovern had been a consistent critic of the Vietnam war and of President Nixon's handling of it. Upon securing the Democratic nomination in July 1972, he had pledged to halt the bombing on Inauguration Day and withdraw US forces from Vietnam within 90 days. Throughout the campaign, he had repeated his call for an immediate US withdrawal from Vietnam and, on 10 October 1972, he had set forth his solution for the war. His plan encompassed: a halt to US bombing of North Vietnam and of all US support to South Vietnam on Inauguration Day; immediate withdrawal of US forces from all of Indochina; dispatch of the Vice President to Hanoi to speed arrangements for the return of US prisoners; a political settlement arranged by the Vietnamese themselves with US cooperation to gain international recognition of that solution; and closing of US bases in Thailand after the return of all prisoners.

(U) Now, during the last several days of the campaign, Senator McGovern launched an intensified attack against the President's conduct of the negotiations, charging Mr. Nixon with only pretending to be near a settlement. The President's actions, the

106. Public Papers, Nixon, 1972, pp. 1084-1089.

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Senator claimed on 3 November, were part of a reelection strategy based on "cruel political deception." He disputed the President's assertion that further negotiations were necessary to resolve the details of the agreement and accused the President of missing an opportunity for peace. On the two successive days, 4 and 5 November, the Senator stepped up his accusations. Mr. Nixon had no plan for ending the war; rather he was "intensifying" the conflict. Senator McGovern warned the American voters against trusting a man who had misled them in 1968 with respect to his peace plans and who was leading them down "the false hope of peace once again in 1972."¹⁰⁷

(U) Richard Nixon was reelected President of the United States on 7 November 1972, and the passage of the election removed the pressure of negotiating against a deadline. In a statement on the night of his election victory, President Nixon renewed his pledge to seek "peace with honor" in Vietnam, and on the following day, he sent General Haig to Saigon to confer again with President Thieu. There was now a general expectation throughout the United States that a settlement in Vietnam was near. Yet, almost three months, marked by continued fighting and a massive air campaign against North Vietnam, would elapse before a final agreement was achieved.¹⁰⁸

¹⁰⁷. NY Times, 4 Nov 72, 1; 5 Nov 72, 1; 6 Nov 72, 1.

¹⁰⁸. Public Papers, Nixon, 1972, pp. 1140-1142. NY Times, 9 Nov 72, 1.

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CHAPTER 12

PEACE IN THE BALANCE, OCTOBER-DECEMBER 1972

Post-Hostilities Contingency Planning

(TS) Even though the anticipated cease-fire in October 1972 aborted, US officials expected an early end to the war and began extensive preparations for that eventuality. Dr. Kissinger organized the effort, employing the Washington Special Actions Group (WSAG). On 30 October 1972, he set up four interdepartmental working groups within the WSAG for the task. Working Group A dealt with the diplomatic aspects and was chaired by Deputy Assistant Secretary of State William H. Sullivan. Working Group B, headed by Secretary of Defense Melvin R. Laird, was responsible for military matters and included a representative from the office of the Assistant Secretary of Defense (International Security Affairs) and two from the Joint Staff, Major General John W. Pauly, USAF, of J-3 and Brigadier General Arthur P. Hanket, USA, of J-5. The remaining two groups treated intelligence and economic matters.¹

(TS) The Joint Chiefs of Staff had not awaited the establishment of the WSAG groups to begin planning the military aspects of a cease-fire. They, the Director of the Joint Staff, Lieutenant General George M. Seignious, II, USA, and the Chairman's Assistant, Vice Admiral John P. Weinell, USN, had already started "close-hold" discussions of the issues of troop withdrawal and command organization in Southeast Asia after a cease-fire. Following the events of 26 October, the

1. (TS-EX) Msg, JCS 7237 to AmEmb Bonn (ADM Weinell to CJCS), 302137Z Oct 72. (S) Data from J-5 Cease-fire Documents Book, "Organization for Implementation of Agreement," n.d., J-5 Action Officer Files.

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North Vietnamese revelation of the terms of the aborted agreement and Dr. Kissinger's "peace is at hand" news conference, Admiral Weinell cabled Admiral Moorer, who was attending a NATO Nuclear Planning Group meeting in London, suggesting that they "loosen up a bit" on the cease-fire planning. He proposed to go ahead "in a coordinated way with the Services and CINC's."²

(TS) A little later that same day, 26 October, Admiral Weinell cabled Admiral Moorer again. He had seen the cease-fire planning directives that the Secretary of Defense intended to issue to the Joint Chiefs of Staff, and he relayed the essence of them to the Chairman. These directives called for planning to implement a cease-fire and US force withdrawal to a level of a 50-man attache office in South Vietnam within 60 days of the cease-fire, the period specified in the tentative US-North Vietnamese agreement. The reduction would also cover the 7th Fleet and US tactical air and B-52 assets in Thailand. Also required would be revised rules of engagement and temporary augmentation authorities to protect US troops and other Free World forces until completion of the withdrawal. Cease-fire preparations were also to cover command and control arrangements for US forces in Southeast Asia; intelligence support from out of country for US and South Vietnamese forces; and the composition, mission, and functions for the attache office.³

(TS) It is interesting to note that the Secretary of Defense apparently prepared these directives without any consultation with or assistance from the Joint Chiefs of Staff. Also indicative of the milieu in

2. (TS-EX) Msgs, JCS 2374 and 3624 to CINCUSNAVEUR (VADM Weinell to CJCS), 252209Z and 262252Z Oct 72.

3. (TS-EX) Msg, JCS 3627 to CINCUSNAVEUR (VADM Weinell to CJCS), 262256Z Oct 72.

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which the Joint Chiefs of Staff were operating at that time was the following report to the Chairman by Admiral Weinel also on 26 October:

Gen Abrams passed an unsigned MACV plan for reducing to 0 force levels in 60 days. It was passed on an extremely close-hold basis with none allowed to see it except a few Joint Staff people. The plan reportedly was prepared on direction from HAK [Henry A. Kissinger] to MACV. . . . CINCPAC hasn't seen it nor the Services.

(C) Based on the impending Secretary of Defense directives, the Joint Chiefs of Staff dispatched cease-fire planning instructions to CINCPAC and CINCSAC the following day, 27 October. They requested the development of plans in three major areas: withdrawal of US forces from South Vietnam, command arrangements for US forces remaining in Southeast Asia after the withdrawal from South Vietnam, and continued US support for the Republic of Vietnam Armed Forces. The two commanders were to be prepared, upon notice from the Joint Chiefs of Staff, to execute a cease-fire in South Vietnam and to end all military operations against North Vietnam, although US combat operations in support of the Laotian and Cambodian governments would continue "at about current levels." The Joint Chiefs of Staff designated the date of the cease-fire as "X-Day" and directed the commanders to plan the removal of all US and Free World forces as well as specified materiel from South Vietnam within 60 days (X+60) of the cease-fire. During this redeployment, CINCPAC was to insure

4. (TS-EX) Msg, JCS 3624 to CINCUSNAVEUR (VADM Weinel to CJCS), 262252Z Oct 72.

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the security of forces, materiel, and facilities and to establish a Defense Attache Office (DAO). This office, the establishment of which was to be coordinated with the US Embassy in Saigon, would consist of not more than 50 US military spaces and no other US military personnel would be authorized in South Vietnam except US Embassy security guards.⁵

(C) The Joint Chiefs of Staff also directed planning for command arrangements outside of South Vietnam for control of residual US missions and responsibilities in Southeast Asia that were currently assigned to COMUSMACV. Specifically, the Joint Chiefs of Staff stated that, when directed after X-Day, COMUSMACV would relinquish operational control of land-based combatant air forces in Southeast Asia concurrently with the establishment of a US military command in Thailand for air command and control. In addition, CINCPAC and CINCSAC were to plan the reduction of US forces in Thailand and US naval forces on station off Vietnam. Forces in Thailand were to be reduced to an interim level capable of 4,700 (with a surge capability to 6,700) tactical air and 1,000 B-52 combat sorties per month; the naval force level was to be reduced to one CVA with necessary escort and support ships on station with two additional CVAs prepared to arrive off Vietnam within 96 hours and one week, respectively.

5. On 2 November, the Joint Chiefs of Staff instructed CINCPAC that, if US military personnel were planned as embassy guards in South Vietnam, they must be included in the 50 allowable military billets. But after clarification with "higher authority," they reversed that decision later the same day, advising that any US military assigned as embassy guards would not be included or counted against the 50-man DAO. (S) Msgs, JCS 1994 and 2143 to CINCPAC, 022021Z and 022248Z Nov 72.

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(C) In addition, the Joint Chiefs of Staff laid down guidance for residual support of the RVNAF after the US withdrawal in the areas of consumable supply (POL, ammunition, and spare parts), training, communications, and computer services. Moreover, CINCPAC was to plan JGS/RVNAF liaison with US forces in Thailand and the supply of critical intelligence support for both the RVNAF and remaining US air operations in Southeast Asia from US assets pending greater assumption of this mission by the RVNAF. Without explicitly so stating, the Joint Chiefs of Staff indicated that support of the RVNAF would be provided by means of DOD civilian and contract personnel. They did state that the US phase-down in South Vietnam would not include US civilian personnel or contractors, adding that authority and funds would be available for expanded and additional contracts. They cautioned that no US civilian personnel would be used in "a military, paramilitary, or police-type role or function." To allow additional support for the RVNAF, the Joint Chiefs of Staff granted COMUSMACV authority to plan the transfer to the GVN, without formal authorization, of "transferable equipment" to meet currently stated requirements and to approve RVNAF force structure changes within the approved 1.1 million manpower ceiling.

(C) In further post-hostilities planning guidance, the Joint Chiefs of Staff also provided for: continued operation of LORAN sites in South Vietnam with civilian contract personnel; transfer of the Joint Information Center (JIC), including the Joint Personnel Recovery Center and Joint Graves Registration Office, to Thailand; review of communications-electronic equipment to determine what could be turned over to the RVNAF and the retrograde of all remaining items; withdrawal of

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communications security (COMSEC) equipment currently under US control; and retention of capability for air reconnaissance, both manned and tactical reconnaissance and drones, over South Vietnam. The Joint Chiefs of Staff wanted CINCPAC to designate temporary staging bases in Thailand and elsewhere to expedite the orderly withdrawal of US forces and equipment from South Vietnam. They requested CINCPAC to provide the required plans to accomplish all the above tasks as well as to determine civilian requirements and organization in South Vietnam to manage and supervise support for the RVNAF.⁶

(TS) The WSAG met on 30 October to consider the matter of cease-fire planning, and it was at that meeting that Dr. Kissinger set up the already mentioned working groups. Admiral Moorer was still absent from Washington, and Admiral Weinell attended the meeting in the Chairman's stead. He reported to Admiral Moorer that the DOD Working Group was "to get going" on all the items that the Joint Chiefs of Staff had already finished or had underway. It was Admiral Weinell's estimate that "we are about a week ahead of HAK." The Admiral also related that the WSAG would meet once or twice a week thereafter in order to provide Dr. Kissinger reports on the planning. The WSAG did meet frequently in the succeeding weeks to hear progress reports, but Working Group B, responsible for the military aspects of a cease-fire did not meet since all the actions were already in progress.⁷

6. (TS) Msg, JCS 4907 to CINCPAC and CINCSAC (info COMUSMACV, COMUSMACTHAI, CINCUSARPAC, CINCPACFLT, CINCPACAF, and CGFMFPAC), 272238Z Oct 72, JMF 907/305 (27 Oct 72) sec 1.

7. (TS-EX) Msg, JCS 7237 to AmEmb Bonn (VADM Weinell to CJCS), 302137Z Oct 72. (S) Data from J-5 Cease-fire

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(C) On the next day, 31 October, the Joint Chiefs of Staff informed the Secretary of Defense of their actions to prepare for a cease-fire. Because of the 60-day limit contemplated between the cease-fire and the completion of the US withdrawal, the Joint Chiefs of Staff believed it prudent to secure in advance the authorities needed to implement the cease-fire. Although recognizing that action on some authorities must await the terms of the final cease-fire agreement, they requested immediate approval to implment the following: establishment of a Defense Attache Office in Saigon of not more than 50 military spaces, headed by a general or flag officer as the Defense Attache; expansion of existing and establihmment of additional civilian conracts to provide continued support for the RVNAF; hiring of US civilian personnel required to supervise this contractual support; transfer of title, as deemed appropriate, of in-country equipment not already identified in existing RVNAF improvement programs to the GVN without regard to formal authorization; and authority to approve RVNAF force structure changes necessary to support PROJECT ENHANCE PLUS while remaining within the approved 1.1 million manpower ceiling.

(C) The Joint Chiefs of Staff set forth a second category of authorities, recommending approval for implementation when execution of a cease-fire was ordered. These included: authority to exceed, temporarily, the current US force level and established ceiling in Thailand for certain specific functions, such as intelligence; introduction of temporary duty

Documents Book, "Organization for Implementation of Agreement," n.d., J-5 Action Officer Files. (C) J-5 Calendar of NSC Group Meetings, Oct-Dec 72, J-5 NSC Files.

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US personnel into South Vietnam to assist the withdrawal of US forces and equipment; operation of LORAN sites with civilians; redeployment of augmentation forces from Southeast Asia as appropriate; continuation of off-shore training programs for the RVNAF; and relocation of the Joint Information Center from South Vietnam to Thailand before completion of the US withdrawal from South Vietnam.

(C) The Joint Chiefs of Staff also asked the Secretary of Defense to approve the following authorities for planning purposes: US overflight of South Vietnam, Laos, and Cambodia after the US withdrawal from South Vietnam, to include manned and unmanned reconnaissance, logistical, and other non-tactical flights; RVNAF staff liaison in Thailand; off-shore US aerial surveillance to support the RVNAF; Joint Information Center operations in Southeast Asia to resolve the status of missing personnel; use of South Vietnamese air bases for emergency recovery of US military aircraft; permission for US naval combatant vessels to enter South Vietnamese territorial waters during the US withdrawal; US armed escort, both air and ground, to provide security to US and Free World forces during the withdrawal; and operation of Military Airlift Command and PACOM transport and resupply flights into South Vietnam aerial ports after the withdrawal. Finally, the Joint Chiefs of Staff requested the provision of funds to support all these above authorities by means of supplemental funding or budget amendment.⁸

8. (TS) JCSM-462-72 to SecDef, 31 Oct 72, Encl to JCS 2339/360-1, 31 Oct 72, JMF 907/305 (27 Oct 72) sec 1.

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(C) Without awaiting CINCPAC's cease-fire plans, the Joint Staff had developed two alternatives to carry out US military functions in Southeast Asia after the US withdrawal from South Vietnam. The first called for a USAF headquarters in Thailand for air operations and planning and a separate Support Activities Group in Thailand for advisory assistance functions. The second alternative would move a truncated MACV organization to Thailand as a subordinate unified command under CINCPAC. This latter organization would be designated US Joint Support Activities Command.⁹

(TS) Finally on 2 November 1972, the Secretary of Defense provided the Chairman of the Joint Chiefs of Staff the cease-fire planning directives that Admiral Weinel had already seen on 26 October. This formal guidance contained only one change from that reported by Admiral Weinel. The Secretary instructed the Chairman to be prepared to end combat operations under either of two conditions: a cease-fire throughout Indochina, including Cambodia and Laos; or in only North and South Vietnam. He wanted to be prepared to reduce the US military presence in South Vietnam to a 50-man attache staff prior to X+60. Further he directed readiness either to continue operations in Cambodia and Laos at current levels or to reduce the US military presence in the two countries to small attache staffs similar to that in South Vietnam. Upon implementation of the cease-fire on X-Day, the Secretary said, all US forces were to remain in place until otherwise instructed. Pertinent rules of engagement, operating authorities, and temporary augmentation authorities for all of

9. (TS) J-5 Point Paper for CJCS (for info), "Post-hostility Organizational Arrangements for Southeast Asia (U)," 1 Nov 72, J-5 Action Officer Files.

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Indochina or only North and South Vietnam, as appropriate, would be cancelled on X-Day. The Secretary also ordered provision of logistic support for the complete reduction of ROK and other Free World Forces in South Vietnam prior to X+60. Mr. Laird wanted plans to accomplish these tasks by 13 November 1972.¹⁰

(C) On the same day, 2 November, CINCPAC submitted his views on the withdrawal planning. With respect to command structure, he favored "a sub-unified command" in Thailand with an Air Force commander and an Army deputy to conduct Southeast Asia land-based air and logistic operations. Admiral Gayler warned the Joint Chiefs of Staff that the enemy was rapidly resupplying at that time in addition to preparing for a dry season push. He believed that the enemy would be able to resume main force operations in MR 1 and major attacks in the other regions within two to three months.¹¹

(C) The US Ambassador in Thailand, Mr. Leonard Unger, was less certain about the cease-fire planning. He had "important" reservations with regard to creation of a US support command in Thailand. "The political ramifications of burdening the Thais, and US-Thai relations, in the final phases of the Indochina war with a major new US military activity that may make Thailand's sense of exposure more acute," the Ambassador said, "should be fully considered." He believed it in the "long-term interest" to trim US post cease-fire requirements in Thailand to "bare essentials."¹²

10. (TS-EX) Memo, SecDef to CJCS, 2 Nov 72, Att to JCS 2339/360-2, 3 Nov 72, JMF 907/305 (27 Oct 72) sec 1.

11. (TS) Msg, CINCPAC to JCS, 022345Z Nov 72, JCS IN 78934.

12. (TS) Msg, Bangkok 15706 to State, 6 Nov 72, JCS IN 85303.

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(C) On 7 November the Secretary of Defense approved, with certain exceptions, the JCS 31 October request for cease-fire planning authorities. He authorized, for planning purposes, the establishment of the Defense Attache Office, reiterating the restriction of only 50 US military personnel in South Vietnam. He deferred action on authority to exceed the established US personnel ceiling in Thailand and to redeploy augmentation forces from Southeast Asia pending review of the cease-fire plans he had ordered on 2 November. He did approve for planning the introduction of US temporary duty personnel into South Vietnam to assist in the withdrawal of US forces and equipment, but with the stipulation that all such personnel would be subject to approval by his office. He did not grant authority for the Joint Chiefs of Staff to approve RVNAF force structure changes; rather he preferred to retain that function to insure that US follow-up support was available. Finally, he decided that bases in South Vietnam could be used by US military aircraft after the US withdrawal only for approved logistic flights and for emergency landings when the lives of crew and passengers were at stake.¹³

(TS) The Joint Chiefs of Staff then proceeded with the preparation of implementing plans and, in the period 7-13 November 1972, submitted to the Secretary of Defense a series of plans and documents. On 7 November, the Chairman provided basic rules of engagement assuming a cease-fire either in all of Indochina or only in South Vietnam. These rules, cast in the form of draft messages, defined hostile aircraft, vessels, and forces and allowed for US attack as

13. (TS) Memo, SecDef to CJCS, 7 Nov 72, Att to JCS 2339/360-3, 7 Nov 72, JMF 907/305 (27 Oct 72) sec 1.

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appropriate. The following day, the Chairman gave the Secretary the operating authorities that would be needed in the event of a cease-fire throughout Indochina or only in South Vietnam. Again in the form of draft messages, these authorities set forth in considerable detail the type of US operations permitted after a cease-fire went into effect.¹⁴

(C) Several days later, on 11 November, Admiral Moorer addressed Secretary Laird on the matter of augmentation authorities. Initial planning indicated, the Admiral said, that the authorities presently in effect would need to be continued for the period immediately following the cease-fire. Moreover, additional augmentations, for such matters as mine clearance, might be required. The Chairman provided the Secretary a list of those augmentation authorities then in effect, requesting that they be continued until after X-Day. At that time, the Joint Chiefs of Staff would recommend cancellation of those authorities as appropriate on "a phased basis in accordance with overall phasedown planning."¹⁵

(C) In their planning, the Joint Chiefs of Staff considered it essential to maintain US support of the RVNAF. To accomplish this objective without interruption either during or after the US withdrawal, the Joint Chiefs of Staff favored the immediate establishment of an organization to provide a continuing "supervision and surveillance" of the RVNAF in the areas of operations, logistics, communications-electronics, training, and intelligence. Accordingly, on 10

14. (TS-EX) CM-2286-72 to SecDef, 7 Nov 72; (TS-EX) CM-2289-72 to SecDef, 8 Nov 72; JMF 907/305 (27 Oct 72) sec 1.

15. (TS) CM-2293-72 to SecDef, 11 Nov 72, same file.

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November, they recommended to the Secretary of Defense creation of a Defense Resource Surveillance and Termination Office (DRSTO) as soon as possible. The DRSTO would function under COMUSMACV until his command was disestablished. Thereupon the DRSTO would become part of the Defense Attache Office, but would report to the commander of the new command planned in Thailand and, eventually, would report directly to CINCPAC. The DRSTO, as recommended by the Joint Chiefs Staff, would, in fact, constitute the major element of the DAO and would consist of a large number of civilians and 44 of the 50 military personnel allowed in South Vietnam after the US withdrawal. The organization would be commanded by an Army major general with an Air Force brigadier as the deputy.¹⁶

(C) At the same time, the Joint Chiefs of Staff also requested immediate authority to establish a Defense Attache Element as a part of the Defense Attache Office in Saigon. With the reduction of MACV operations accompanying the US troop withdrawal, the Joint Chiefs of Staff foresaw a need to resume the traditional attache functions in South Vietnam. The mission of the Saigon Element would be the traditional attache one outlined in appropriate DOD directives, and the Joint Chiefs of Staff proposed an Attache Element of 21 billets, six US military, eight US civilians, and seven foreign nationals.¹⁷

(TS) The Joint Chiefs of Staff also wanted to develop the best possible current intelligence with respect to

16. (TS) JCSM-475-72 to SecDef, 10 Nov 72, Encl to JCS 2339/360-8, 10 Nov 72, JMF 907/305 (27 Oct 72) sec 2.

17. (TS) JCSM-476-72 to SecDef, 10 Nov 72, Encl A to JCS 2028/65, 10 Nov 72, JMF 245 (10 Nov 72).

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North Vietnam prior to implementation of a cease-fire. Accordingly, on 11 November 1972, they directed CINCPAC, CINCSAC, and COMUSMACV to plan and execute "sustained maximum effort reconnaissance of North Vietnam" to establish a current photographic data base. This effort, nicknamed Operation POST WATCH, was to supply high resolution photographic coverage of major ports and logistic complexes; lines of communication, including railroads, highways, and pipelines; major airfields; and POW camps.¹⁸

The JCS Present a Plan

(C) Meantime, both COMUSMACV and CINCPAC submitted their comments and proposals in response to the JCS guidance of 27 October.¹⁹ After review of the field submissions, the Joint Chiefs of Staff on 13 November 1972 presented the Secretary of Defense the culmination of all their cease-fire planning, including plans for withdrawal of the remaining US and Free World forces from South Vietnam, the movement of essential command and control functions from South Vietnam to Thailand, the phase-down of US air assets in Thailand and 7th Fleet assets off Vietnam, and continued support for the RVNAF. They informed the Secretary of their readiness to terminate all combat operations in all of Indochina or only in North and South Vietnam as soon as a cease-fire took effect. In addition they were prepared to carry out the phased withdrawal of all US and Free World forces from South Vietnam during the 60-day period between X-Day and X+60 with the exception of

18. (TS-EX) Msg, JCS 3285 to CINCSAC, CINCPAC, and COMUSMACV, 111652Z Nov 72, CJCS File 091 Vietnam, Nov 72.

19. (TS) Msgs, CINCPAC to JCS, 020100Z and 050001Z Nov 72, JCS IN 77479 and 83414.

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those few military personnel permitted to remain. The majority of US and Free World forces would be airlifted from South Vietnam prior to X+45, leaving a small roll-up force that would depart on or prior to X+60, and the bulk of the equipment would be transported out of Vietnam by sealift. Such military functions as remained in South Vietnam after X+60 would be performed by the Defense Attache Office. As described above, the DAO would include the Defense Attache Element and the DRSTO and would consist of 50 US military personnel plus US Civil Service and contractor employees.

(C) The Joint Chiefs of Staff also provided for an orderly transfer of command and control functions from South Vietnam to Thailand. Their plans called for a multi-Service integrated headquarters in Thailand, designated the US Support Activities Group/7th Air Force (USSAG/7AF). This new body, organized along the lines of the existing MACV/7th Air Force pattern and located in Nakhon Phanom, would plan and be ready to conduct combat air operations as directed by CINCPAC and would control the DRSTO.

(C) United States force levels in Thailand, the Joint Chiefs of Staff told the Secretary, could not be resolved until definite details of the cease-fire were known, particularly whether the agreement would extend to Cambodia and Laos. Current planning, however, called for US air assets in Thailand to phase down eventually to 42 B-52s, 36 KC-135s, one tactical reconnaissance squadron, special reconnaissance forces, one gunship squadron, and various support units, a force capable of sustaining 4,700 USAF tactical air combat and 1,000 B-52 sorties per month, requiring an approximate US military strength in Thailand of 36,500. At the same time, US naval forces off South Vietnam

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would be reduced to one CVA on station, one in position to arrive off South Vietnam in 96 hours, and a third positioned to arrive within one week. This force could provide 2,200 tactical air combat sorties per month.

(C) To maintain a US intelligence capability in Southeast Asia to support strategic and tactical requirements, the Joint Chiefs of Staff planned to relocate US intelligence assets as necessary (leaving as many in South Vietnam as allowable under the settlement), to exploit assets in Laos and Cambodia, and to rely on the RVNAF for in-country intelligence collection, meanwhile accelerating the improvement of RVNAF intelligence capabilities. The JCS plan included provision for an intelligence staff element within both Headquarters, USSAF/7AF and the DRSTO, DAO, Saigon.

(C) Continued logistic support of the RVNAF, under JCS plans, would be the function of the DRSTO, already described above. With respect to communications-electronics matters, the Joint Chiefs of Staff believed that a substantial realignment of facilities and modification of procedures would be required by the withdrawal of US forces from South Vietnam. The most significant would be associated with provision of adequate support for the USSAG/7AF. Residual US requirements in South Vietnam and out-of-country communications from Thailand, Cambodia, and Laos would be met by using RVNAF facilities. Should it become necessary to end use of these RVNAF facilities, the Defense Communications Agency had alternative solutions under study. Finally, the Joint Chiefs of Staff forwarded to the Secretary of Defense contingency plans for both Cambodia and Laos in the event of either continuing operations or cease-fire.²⁰

20. (TS) JCSM-480-72 to SecDef, 13 Nov 72, Encl A to JCS 2339/360-6, 12 Nov 72, JMF 907/305 (27 Oct 72) sec 1.

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(C) On one cease-fire planning issue, the place of the USSAG/7AF in the US command structure, the Joint Chiefs of Staff could not agree. The Chief of Naval Operations, the Commandant of the Marine Corps, and the Chairman would have the commander carry out assigned tasks under the direction of CINCPAC. Since such an arrangement would exclude control over both SAC and 7th Fleet air resources, the Chiefs of Staff of both Army and Air Force were opposed. They thought it essential that responsibility for the total effort in North and South Vietnam, Laos, and Cambodia be vested in a single commander. Hence they wanted the COMUSSAG/7AF to have authority to target and task all combat air forces, including the resources of SAC and the 7th Fleet, in the area. In a separate memorandum to the Secretary of Defense, Admiral Moorer reiterated his position on the matter. He opposed the Army and Air Force view as tantamount to the establishment of a new unified command in Southeast Asia, a move "in exactly the opposite direction" from the one towards which the United States should be going at that time.²¹

(C) Another problem that arose during the JCS cease-fire planning was the question of continued support for the rear element of the US Military Equipment Delivery Team, Cambodia (MEDTC-Rear). This organization was located in South Vietnam and was supported by COMUSMACV. General Weyand had already indicated that the continuing redeployment of US forces from South Vietnam made it impossible to support the MEDTC-Rear beyond 20 November 1972. Now the possibility of a cease-fire agreement with attendant denial

21. (TS) JCSM-480-72 to SecDef, 13 Nov 72; CM-2297-72 to SecDef, 13 Nov 72; Encls A and B, respectively, to JCS 2339/360-6, 12 Nov 72, JMF 907/305 (27 Oct 72) sec 1.

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of support for Cambodia through South Vietnam gave added impetus to shifting this support through Thailand. At JCS request, CINCPAC prepared an appropriate concept plan for support of Cambodia by relocating the MEDTC-Rear in Thailand. The Joint Chiefs of Staff approved the plan on 13 November 1972, subject to negotiation with the Royal Thai Government and provision for a 90-day stockage of ammunition to include possible out-of-country storage in the third phase of the plan.²²

(C) Meanwhile, the Joint Staff had developed an illustrative concept plan for the redeployment of US forces following a cease-fire in Southeast Asia, which the Joint Chiefs of Staff forwarded to CINCPAC and CINCSAC on 17 November 1972. It expanded on the original guidance provided the commanders on 27 October and was designed to remove forces in increments, allowing maximum security for remaining US forces and a capability to react to possible contingencies. With regard to land-based tactical air forces, the concept would permit reestablishment of the CINCPAC strategic reserve, reconstitution of tactical air forces in CONUS and Europe, and resumption of normal unit readiness training. All US air forces in Thailand would remain in place initially after the cease-fire and, then, on dates to be subsequently determined, various units would withdraw. The remaining forces, as already described in the discussion of the JCS cease-fire planning submission to the Secretary of Defense,²³ would

22. (S) JCS 2339/360-7, 12 Nov 72; (S) Msg, CINCPAC to JCS, 030403Z Nov 72, JCS IN 79675; (S) Msg, JCS 5039 to CINCPAC, 140048Z Nov 72 (derived from JCS 2339/360-7); JMF 907/305 (27 Oct 72) sec 2.

23. See pp. 641-642.

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be able to carry out 4,700 tactical and 1,000 B-52 sorties per month. The concept plan also provided for incremental phasedown of the 7th Fleet off Vietnam. If incremental withdrawal was not required, however, the Joint Chiefs of Staff preferred simultaneous deployment. In either case, remaining naval assets could provide 2,200 sorties per month with one CVA on station off Vietnam and two more positioned to arrive within a week. Escorts and support ships would be provided as required for the CVA levels, and two amphibious ready groups would be available on conditions of readiness appropriate to existing contingencies.²⁴

The Secretary Reaches a Decision

(C) On 17 November, the Secretary of Defense notified the Joint Chiefs of Staff of his decision on cease-fire planning. He approved for planning purposes the JCS plan of 13 November for the withdrawal of US and Free World forces from South Vietnam. He took similar action on the contingency plans for Thailand, in effect approving the majority JCS position for a US Support Activities Group/7th Air Force (USSAG/7AF) in Thailand under CINCPAC. He approved the following authorities for implementation when appropriate and subject to the proper diplomatic clearances: establishment of an advanced element of the USSAG (USSAG ADVON) at Nakhon Phanom, Thailand, prior to X-Day; disestablishment of Headquarters, MACV before X+60; and establishment of USSAG/7AF at Nakhon Phanom before X+60.

(C) The Secretary wanted the shift of command headquarters from South Vietnam to Thailand to be as simple as possible with a minimum of disruption. Once the US

24. (TS) Msg, JCS 1192 to CINCPAC and CINCSAC, 172315Z Nov 72, JMF 907/305 (27 Oct 72) sec 2.

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withdrawal from South Vietnam was complete, the Joint Chiefs of Staff were to examine the tasking and targeting of all US air assets to determine if a more efficient and effective command structure was possible. At that time, the Joint Chiefs of Staff should recommend retention, abolition, or modification of the USSAG/7AF Headquarters. The Secretary also noted that, with respect to command relationships, political understandings with the Royal Thai Government required the Commander of the USSAG/7AF to deal directly with the Chief of US Mission in Thailand.

(C) The Secretary of Defense concurred in the JCS planning concept for US force reduction in Thailand, but added that longer range force structure objectives would be necessary after "the difficult transition period" following the cease-fire. He approved aircraft redeployment goals for Thailand and viewed the JCS proposed US force level in Thailand of 36,500 as neither a ceiling nor a floor on US personnel in that country. The "longer range (post-transition period) force structure" objective for Thailand, he said, would be a 32,200-man structure concentrated at five bases, capable of providing 4,700 tactical air and 1,000 B-52 sorties monthly as well as residual South-east Asia logistics, intelligence, and command and control functions. Mr. Laird also approved for planning purposes the JCS plans for reduction of US naval forces off Vietnam, for intelligence support for US and South Vietnamese forces, for continued logistic support for the RVNAF, and for communications-electronics realignment as well as the contingency plans for Cambodia and Laos.²⁵

25. (TS) Memo, SecDef to CJCS, 17 Nov 72, Att to JCS 2339/360-10, 18 Nov 72, JMF 907/305 (27 Oct 72) sec 2.

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(C) On the following day, the Secretary of Defense approved the immediate establishment of both the Defense Resource Surveillance and Termination Office (DRSTO) and the Attache Element of the DAO as recommended by the Joint Chiefs of Staff. He requested a more detailed organization and terms of reference for the DRSTO, clearly establishing it as an integral part of the Attache Office and "not vice versa." He authorized direct coordination between the Director of the Defense Intelligence Agency and the Department of State concerning the establishment of the Attache Element instructing that the Assistant Secretary of Defense (International Security Affairs) be kept informed throughout the process.²⁶

(C) That same day, 18 November, Secretary Laird approved for planning purposes the basic rules of engagement and the operating authorities proposed by the Joint Chiefs of Staff for operations following a cease-fire. With regard to the operating authorities, he approved with the understanding that final approval would be contingent upon the provisions of the final cease-fire agreement. On 18 November, the Secretary also granted the JCS request for extension of the temporary Southeast Asia augmentation authorities then in effect with the continuing provision that they be reviewed monthly pending "achievement of a stabilized force level in Southeast Asia." Mr. Laird wanted to review the JCS plan for incremental phasedown of US forces in Southeast Asia as soon as possible after the specific cease-fire terms were known, and he expected to review all temporary augmentations by X+15. He

26. (TS) Memo, SecDef to CJCS, 18 Nov 72, Att to JCS 2339/360-11, 18 Nov 72, JMF 907/305 (27 Oct 72) sec 2. (TS) Memo, SecDef to CJCS, 18 Nov 72, Att to 1st N/H of JCS 2028/65, 20 Nov 72, JMF 245 (10 Nov 72).

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anticipated that this review would provide for the immediate return of one CVA and associated escorts to CONUS followed by a phased reduction to three CVAs in WESTPAC as quickly as possible thereafter. In addition, Secretary Laird ruled that the 36,500 force limit for Thailand would include cryptologic personnel withdrawn from South Vietnam.²⁷

(C) During the next few days, the Joint Chiefs of Staff issued the necessary instructions to implement the Secretary's decisions. On 18 November, they authorized COMUSMACV to activate the Defense Resource Surveillance and Termination Office. Several days later, on 22 November, they changed the name of the organization to Defense Resources Support and Termination Office, seeking to avoid any connotation of surveillance in the sense of aerial reconnaissance. At that time, the Joint Chiefs of Staff instructed CINCPAC and COMUSMACV that the recently designated head of the Office, Major General John E. Murray, USA, would have the title of Defense Attache and would serve as Chief, DRSTO, as an additional duty.²⁸

(C) The Joint Chiefs of Staff instructed the Director of the Defense Intelligence Agency on 20 November to plan the establishment of the Attache Element of

27. (TS) Memos, SecDef to CJCS, "Changes in Existing Military Procedures in Southeast Asia" (there are two memos of this subject and date) and "Temporary Augmentation Authorities," 18 Nov 72, JMF 907/305 (27 Oct 72) sec 1. (TS) Memo, SecDef to CJCS, 18 Nov 72, Att to JCS 2339/360-12, 20 Nov 72, same file, sec 2.

28. (S) Msg, JCS 2132 to CSA, CNO, CSAF, CMC, CINCPAC, and COMUSMACV, 182317Z Nov 72; (TS) Msg, JCS 4825 to CINCPAC (info COMUSMACV, CINCSAC et al.), 220021Z Nov 72; JMF 907/305 (27 Oct 72) sec 2. (TS) Msgs, JCS 4774 to CINCPAC (info COMUSMACV and COMUSMAC-THAI), 212338Z Nov 72; JCS 5943 to CINCPAC (info COMUSMACV), 222136Z Nov 72; CJCS File 091 SEA, Jul-Dec 72.

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the DAO, coordinating directly with the Department of State, and keeping the Assistant Secretary of Defense (International Security Affairs) informed. The next day, the Joint Chiefs of Staff authorized CINCPAC to establish the 21-man Attache Element, using in-country resources. They subsequently advised CINCPAC that the terms of reference for the DRSTO must accord with any cease-fire as ultimately accepted and that the military and civilian members of the DAO were not to function as advisers.²⁹

(C) The Joint Chiefs of Staff also forwarded to CINCPAC and CINCSAC the rules of engagement and operating authorities for a cease-fire that had been approved for planning, stressing that both the authorities and rules could be significantly affected by the provisions of the final cease-fire agreement. They notified the appropriate commanders that the current augmentation authorities for Southeast Asia were extended through 31 December 1972. The requirement for further extension beyond that date would be reviewed prior to the end of the year.³⁰

29. (TS) SM-577-72 to Dir, DIA, 20 Nov 72, Encl B to JCS 2028/65, 19 Nov 72; (TS) Msg, JCS 4580 to CINCPAC, 212036Z Nov 72 (derived from JCS 2028/65-1); JMF 245 (10 Nov 72). (TS) Msg, JCS 4825 to CINCPAC (info COMUSMACV, CINCSAC et al.), 220021Z Nov 72, JMF 907/305 (27 Oct 72) sec 2.

30. (TS) Msgs; JCS 6101, 6123, 6131, 6133, and 6136 to CINCPAC and CINCSAC; 230012Z 230051Z, 230105Z, 230112Z, and 230121Z Nov 72. (TS-EX) Msg, JCS 8680 to CINCPAC, CINCSAC, CINCLANT, and USCINCRD, 25 Nov 72, CJCS File 091 SEA, Jul-Dec 72. The substance of the rules of engagement and the operating authorities is not discussed since these were not the final approved versions. For coverage of both the rules and authorities as issued, see Chapter 14.

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(C) Meantime, at the request of the Secretary of Defense, the Joint Chiefs of Staff had considered the civilian strength of the proposed DAO and examined two possible strength figures, 1,600 and 900. The Director, Joint Staff, drew up a proposed table of organization for 1,600 which he sent to ISA, warning that such a figure did not include personnel for intelligence, for civil operations and rural development, or for other non-DOD activities. Should a ceiling of 900 civilian personnel be imposed, the Director said, it would be necessary to increase contractor support at the risk of reduced control and management of RVNAF activities. He promised the views of the Joint Chiefs of Staff on this matter pending review of proposals from COMUSMACV and CINCPAC.³¹

(C) Ultimately, President Nixon reviewed and approved the cease-fire planning assumptions developed by the Joint Chiefs of Staff and the Secretary of Defense. Certainly, he must have done so before the implementation of the cease-fire, but it was only on 12 February 1973, more than two weeks after the Vietnam agreement entered into force, that the Secretary of Defense formally notified the Joint Chiefs of Staff of the Presidential decision.³²

(C) In planning the US withdrawal from South Vietnam, the Joint Chiefs of Staff had envisioned use of US temporary duty personnel to assist in the

31. (TS) Memo, Actg ASD(ISA) to CJCS, 17 Nov 72, Att to JCS 2339/360-9, 17 Nov 72; Note to Control Division, "JCS 2339/369-13, DOD Civilian Personnel in the RVN, 22 Nov 72," 22 Nov 72; DJSM-2209-72 to ASD(ISA), 22 Nov 72, Att to JCS 2339/360-15, 28 Nov 72; JMF 907/305 (27 Oct 72) sec 2.

32. (TS) Memo, SecDef to CJCS, 12 Feb 73, Att to JCS 2339/369-20, 13 Feb 73, JMF 907/305 (27 Oct 72) sec 3.

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process. Accordingly, they had asked the Secretary of Defense to approve this assumption for planning purposes, and he had done so with the proviso requiring introduction of such personnel into South Vietnam during the period X-Day through X+60 to be approved by his office.³³ Subsequently, CINCPAC requested authorization for COMUSMACV to employ temporary duty personnel through X+59 under existing procedures, which did not require OSD approval, so long as the number of accountable personnel did not exceed the X-Day ceiling, and the Joint Chiefs of Staff relayed this request to the Secretary of Defense on 6 December 1972. They assumed that the US imposed ceiling as of X-Day would continue in effect through X+59 and, thus, temporary duty personnel if not exceeding that ceiling could be placed in South Vietnam without violation of the cease-fire agreement.³⁴

(C) The Secretary of Defense approved the JCS proposal on 13 December with the following caveat:

I fully appreciate the delays and administrative workload which could result from clearing each and every TDY requirement with my office. However, all personnel involved must realize that the eyes of the world will be on the progress achieved during the withdrawal phase. Furthermore, an excessive delay in showing a marked reduction of US in-country strength could delay release of US POWs. Therefore, TDY must be held to an absolute minimum

33. See above, pp. 633-634, 637.

34. (TS) JCSM-515-72 to SecDef, 6 Dec 72 (derived from JCS 2472/846), JMF 911/374 (4 Dec 72).

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and not must be allowed to hold US strength at or near the X-Day level³⁵ until late in the 60-day period.

Preparations for Mine Countermeasure Operations

(TS) In any suspension of hostile actions against North Vietnam, clearance of US mines in North Vietnamese waters would be a major task, and the Joint Chiefs of Staff were readying appropriate plans simultaneously with the previously described cease-fire preparations. The Commander in Chief, Pacific Fleet had already produced a mine countermeasures plan, nicknamed FORMATION SENTRY, in July 1972. It provided for clearance in the waters of Haiphong, Cam Pha, Hon Gai, Vinh, and Thanh Hoa. With the initiation of the intensive cease-fire planning in late October 1972, the Joint Chiefs of Staff asked for a revision of the FORMATION SENTRY plan to include the ports of Quang Khe and Dong Hoi as well as other bays, river mouths, and water approaches. They dispatched the appropriate directive to CINCPAC on 30 October 1972 and CINCPACFLT submitted the expanded plan, designated FORMATION SENTRY II, on 12 November.³⁶

(TS) Meantime, on 2 November, the Secretary of Defense had ordered the Joint Chiefs of Staff to be ready to implement the first phase of FORMATION SENTRY, pre-positioning US mine countermeasure forces in South Vietnamese waters close by North Vietnam to await

35. (TS) Memo, SecDef to CJCS, 13 Dec 72, Att to JCS 2472/846-1, 14 Dec 72, same file.

36. (TS) OCJCS Summary Sheet for CJCS, "FORMATION SENTRY (U)," 30 Oct 72; (TS-EX) Msg, JCS 6968 to CINCPAC (info CINCPACFLT), 301713Z Oct 72; CJCS File 091 Vietnam, Oct 72. (TS) Msg, CINCPACFLT to CINCPAC, 120405Z Nov 72, JCS IN 98302, same file, Nov 72.

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execute orders. Priority for clearance, the Secretary instructed, would be the Haiphong shipping channel and approaches and then the other main North Vietnamese ports, bays, rivers, and inland waterways. The Joint Chiefs of Staff issued the necessary order, and CINCPAC began movement of Helicopter Minesweep Squadron 12 (HM-12) to the Philippines. But on 10 November, at the direction of the Secretary of Defense, the Joint Chiefs of Staff suspended further positioning of mine clearance forces although allowing forces in transit to continue to the Philippines. They directed CINCPAC to be prepared to proceed with either of two alternatives--resumption of preparations for clearance operations or retrograde of assembled equipment to the United States.³⁷

(TS) In the succeeding weeks of November and early December, cautious preparations for mine clearance continued although no forces were moved beyond the Philippines. The Joint Chiefs of Staff ordered the movement of three minesweepers (MSOs) from the West Coast of the United States to Hawaii, and, subsequently, authorized the embarkation of a Marine Heavy Helicopter Squadron (HMH) with CH-53D helicopters aboard ships in Hawaii for possible movement to the Philippines. With respect to the mine countermeasure forces in the Philippines, the Joint Chiefs of Staff authorized the reassembly of the helicopters of HM-12 and the conduct of local flight training to insure pilot and equipment readiness. At the request of the field commanders, the Joint Chiefs of Staff secured

37. (TS-EX) Memo, SecDef to CJCS, "Mine Countermeasures Operations (Formation Sentry)," 2 Nov 72; (TS-EX) Msgs, JCS 3689 and 2404 to CINCPAC, 040204Z and 102313Z Nov 72; CJCS File 091 Vietnam, Nov 72.

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Secretary of Defense approval for modification of USMC CH-53D helicopters as required for mine clearance operations. In all these actions, the Joint Chiefs of Staff sought to avoid any public notice, instructing CINCPAC not to make any announcement or answer any queries concerning the actions.³⁸

(TS) The mine countermeasure forces gathered in the Philippines in early December 1972 were authorized to conduct pilot training and modify assigned helicopters as required for clearance operations. They could not, however, carry out actual training to assemble, test and tow airborne mine the equipment. Both CINCPACFLT and CINCPAC recommended such training and, on 11 December, Admiral Moorer told the Secretary of Defense that the inability to reassemble, test and tow sweep gear was having an adverse effect on the readiness of the mine countermeasure forces. Therefore Admiral Moorer requested authority for training with the mine countermeasures equipment in the Subic Bay with as little visibility as possible, but the Secretary turned down the request. In notifying CINCPAC of the decision, the Joint Chiefs of Staff did grant the field commander the authority needed to prevent deterioration of the sweep gear provided the equipment was not assembled, tested, or towed.³⁹

38. (TS-EX) Msgs, JCS 1960, 2006, and 5959 to CINCPAC, 181656Z, 181805Z, and 222158Z Nov 72, CJCS File 091 Vietnam, Nov 72. (TS-EX) CM-2320-72 to SecDef, 23 Nov 72; (TS-EX) Memo, SecDef to CJCS, "FORMATION SENTRY II," 29 Nov 72; (TS-EX) Msg, JCS 4883 to CINCPAC, 301919Z Nov 72; same file.

39. (TS) Msg, CINCPACFLT to CINCPAC, 060655Z Dec 72, JCS IN 54479; (U) Msg, CINCPAC to JCS, 062236Z Dec 72, JCS IN 55089; (TS) Msg, JCS 7460 to CINCPAC 102015Z Dec 72; (TS-EX) CM-2356-72 to SecDef, 11 Dec 72; (TS) Msg, JCS 3232 to CINCPAC, 142326Z Dec 72; CJCS File 091 Vietnam, Dec 72. SecDef action is indicated by a handwritten notation on CM-2356-72.

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(TS) The Joint Staff was reluctant to accept the Secretary of Defense's decision, and on 20 December, the Operations Directorate (J-3) proposed to Admiral Moorer another request to the Secretary of Defense to reassemble, test, and tow the equipment at sea "over-the-horison" and out of sight of populated areas. Air strikes and reseedling of mines had now been resumed against North Vietnam in the LINEBACKER II action, and the Assistant to the Chairman, Vice Admiral John P. Weinel, did not wish to press such a request. He told Admiral Moorer:

This does not seem the proper way to proceed at the moment.

Conducting mine sweeping operations "over-the-horizon" will be known by every B girl in Olongapo and consequently to NVN.

It doesn't make sense to be sending a tough signal in NVN with our air effort and at the same time send a soft signal with mine sweeping.

The message to the B-Girls should be "all mine sweeping is off!"

Admiral Moorer agreed and no request went forward to the Secretary.⁴⁰

(U) Meanwhile, in the course of the secret negotiations going on in Paris, North Vietnam presented the United States a draft protocol for mine clearance.

40. (TS-EX) Draft CM-2391-72 to SecDef, n.d., attached to OCJCS Summary Sheet, 20 Dec 72, same file. Handwritten note on Register of Personnel Handling Classified Document (attached to draft CM-2391-72), "Readiness of FORMATION SENTRY II Mine Countermeasures (MCM) Forces (U)," 21 Dec 72, same file. Handwritten notation indicated that no action was taken.

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Consisting of seven articles, the protocol required the United States to remove, deactivate permanently, or destroy all mines in "the territorial waters, ports, harbors, and waterways of North Vietnam" with such action carried out "simultaneously in all the mined areas." The draft further provided that North Vietnam and the United States should reach an agreement on a priority order for each area and that the United States should furnish its plan for mine clearance to North Vietnam. With regard to what was termed "waterways" the draft protocol called for North Vietnam to join the United States in destroying or removing mines with the United States supplying the means of surveying, removal, and destruction. Finally, the proposed protocol required the United States to respect the sovereignty of North Vietnam.⁴¹

(C) At the request of the President, Admiral Moorer reviewed the draft protocol. Although further negotiation and various modifications were needed, the Chairman believed that the US obligation for clearing coastal waters could be fulfilled within 210 days of an execute order. Clearing inland waters would take an additional 130 days. The protocol should require only the "neutralization" or "destruction" of mines, since "removal" was unduly hazardous and constituted an "imprudent risk" to clearance crews. Because both personnel and equipment were limited, Admiral Moorer thought it impossible to clear all areas simultaneously.

41. NVN Draft Protocol on Removal, Permanent Deactivation or Destruction of Mines in Territorial Waters, Ports, Harbors and Waterways of North Vietnam, n.d., Att to (TS) Ltr, DepAsst to President for NSA to Mil Asst to SecDef, 15 Dec 72, CJCS File 091 Vietnam, Dec 72.

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Concerning destruction of ordnance in "waterways," which Admiral Moorer interpreted as meaning inland waterways, he urged that this task remain the responsibility of North Vietnam, with the United States supplying appropriate equipment and training. In addition, he found the language of the draft imprecise in its provision for US respect for the sovereignty of North Vietnam. He recommended revision to insure North Vietnamese guarantee of the safety of all US personnel on or over North Vietnamese territory insofar as possible and the exemption of US personnel from North Vietnamese civil and criminal jurisdiction. In return, the United States would pledge its forces to respect the laws of North Vietnam and to abstain from any activity inconsistent with the spirit of the agreement. Finally the Chairman recommended that a mine countermeasures expert be available to the negotiators when the protocol was considered again.⁴²

Planning for the Four-Party Joint Military Commission

(TS) While the Joint Chiefs of Staff were preparing for the military aspects of a cease-fire, the Administration discussed with the South Vietnamese the establishment of the supervisory machinery provided for in the October cease-fire agreement. On 30 October 1972, the Department of State informed Ambassador Bunker that planning should be undertaken in Saigon to have supervisory machinery in place as soon as a cease-fire went into effect. United States officials in Saigon were to

⁴². (TS) Memo, DepAsst to Pres for NSA to MilAsst to SecDef, 15 Dec 72; (TS) CM-2382-72 to SecDef, 20 Dec 72; (TS) Memo, MilAsst to SecDef to DepAsst to Pres for NSA, 20 Dec 72; CJCS File 091 Vietnam, Dec 72, (In the final version of the protocol, Admiral Moorer's comments were only partially reflected; see Chapter 13, pp. 708-709.

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plan for a two-party joint military commission, composed of the GVN and the PRG, and a four party commission that added the United States and North Vietnam. Since difficulties in obtaining South Vietnamese agreement were anticipated, the Department of State directed Ambassador Bunker to bring General Weyand into the planning. The General was to form a "very small" planning staff to work out the details of a four-party joint military commission (FPJMC).⁴³

(TS) General Weyand chose two officers of his staff to work with him and his Chief of Staff, Major General G. H. Woodward, USA, and by 3 November 1972, this group had drafted an outline for the organization and operation of the four-party joint military commission. The planning group called for a Central Commission in Saigon, composed of a general officer representative from each party, assisted by a secretary. Below the Central Commission were four Regional Control Groups, one for each of the four Military Regions of South Vietnam. These groups would be headed by a colonel from each party and would include small operations and administrative staffs. Each of the control groups would have five control teams, composed of a single representative of each party, to supervise activities in outlying areas.⁴⁴

(TS) Ambassador Bunker forwarded the working group draft to Washington and received back further instructions requesting development of detailed working

43. (TS-EX) Final Rpt, US Del, Four-Party Joint Military Commission (Tab K), n.d., Att to JCS 2472/873, 20 Jun 72, JMF 911/533 (20 Jul 73) (hereinafter referred to as Final Rpt, FPJMC). (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, p. G-13.

44. (TS-EX) Final Rpt, US Del, FPJMC.

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procedures and concepts to implement a cease-fire agreement. General Weyand's group went to work again and, after consultations with General Cao Van Vien, Chief of the RVNAF Joint General Staff, prepared a draft military commander's agreement containing 87 articles. The Joint Chiefs of Staff were not consulted during this process; General Weyand's channel with Washington was through the Ambassador and the Department of State. On 10 November 1972, however, General Weyand sent a copy of the draft commanders' agreement to Admiral Moorer.⁴⁵ On 10 November 1972, Major General Haig and several other members of the NSC staff arrived in Saigon. General Weyand's small group met with the NSC planners and various revisions and changes were made in the draft commanders' agreement.⁴⁶

(TS) The Department of State reviewed the documents produced in Saigon and prepared alternative drafts of the protocol for the four-party commission and the commanders' agreement. The Washington versions were brief and would do no more than establish the commission and provide a general description of its organization and mission, leaving the commission to arrange its working procedures. The Secretary of State asked Ambassador Bunker on 17 November to have General Weyand obtain the concurrence of General Vien in these revisions. The two generals did discuss the revised documents, and certain changes were made in them. Thereafter both the draft protocol and the commanders'

45. The Final Report, US Del, FPJMC (Tab K, p. 7), specifically stated: "There was no reaction or exchange of ideas between the Joint Chiefs and General Weyand during this period"

46. (TS-EX) Final Rpt, US Del, FPJMC.

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agreement were tabled in a private negotiating session between Dr. Kissinger and Le Duc Tho in Paris.⁴⁷

(C) On 1 December 1972, the Secretary of Defense noted the progress in planning for a four-party joint military commission. He believed it essential for the United States to be ready to field its element of the commission immediately following announcement of a cease-fire. Accordingly, he requested Admiral Moorer to supply detailed plans for the US element, including assignment by name of US personnel and a nomination for the senior US representative to the commission.⁴⁸

(C) Admiral Moorer replied to the Secretary on 7 December, furnishing the main features of the plan already developed by General Weyand. He nominated Major General Woodward to be the Chief of the US Delegation to the four-party joint military commission and Brigadier General J. A. Wickham, USA, to be Deputy. He advised the Secretary that all US personnel for the commission could be in place within 24 hours of an implementing directive. Secretary Laird approved the plan and nominations on 22 December.⁴⁹

(TS) Meantime, during private negotiating sessions in Paris in early December, Dr. Kissinger and Le Duc Tho considered a cease-fire and the machinery to supervise it. They discussed this matter in light of the drafts prepared by General Weyand's working group

47. Ibid. (S-EX) Msg, State 209476 to Saigon, 170039Z Nov 72, CJCS File 323.3 MACV (Nov 70-Dec 72).

48. (S) Memo, SecDef to CJCS, "Four-Party Joint Military Commission," 1 Dec 72, JMF 800 (1 Dec 72).

49. (S) CM-2343-72 to SecDef, 7 Dec 72; (S) Memo, SecDef to CJCS, "Four-Party Joint Military Commission," 22 Dec 72; JMF 800 (1 Dec 72).

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and of an alternative draft submitted by the North Vietnamese, which combined into a single document provisions for both the two and four party commissions with an outline of the organization and functions. The US delegation in Paris forwarded the North Vietnamese protocol to Saigon on 12 December for review where General Weyand's planning group found it unacceptable. Consequently, this group developed a revised proposal, but the breakdown of the negotiations and the resumption of bombing on 18 December precluded further action on this matter.⁵⁰

The Negotiations in Late 1972

(C) While planning to implement a cease-fire progressed in November and December 1972, the negotiations proceeded in an effort to reach a peaceful settlement that included a cease-fire. Following the reelection of President Nixon on 7 November, there was widespread optimism that diplomatic efforts would move swiftly to a successful conclusion, but this expectation was not fulfilled. The semi-public Paris meetings throughout the rest of November were brief and uneventful, obviously awaiting further developments at the private level.⁵¹

(U) Meantime, the United States and North Vietnam had agreed that Dr. Kissinger and Le Duc Tho would meet again later in November. President Nixon was particularly anxious to be assured of President Thieu's cooperation before proceeding with further negotiations, and he dispatched Major General Alexander M. Haig, USA, to Saigon on 9 November with a letter for

50. (TS-EX) Final Rpt, US Del FPJMC.

51. (C) Msgs, US Del France 21321, 21976, and 22913 to State; 9, 16, and 30 Nov 72; JCS IN 92476, 16666, and 42014.

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the South Vietnamese president. The United States would exert "maximum efforts," President Nixon wrote, to secure the changes in the draft October settlement that the South Vietnamese desired. He cautioned, however, that the new US Congress convening in January would be "even more dovish" than the current one. Consequently, if a settlement was not reached before January, and should it appear that the South Vietnamese were the obstacle in achieving one, the new Congress might cut off funds for South Vietnam.⁵²

(U) In both discussions with General Haig and a letter replying to President Nixon, President Thieu repeated his earlier objections, especially with respect to the issue of North Vietnamese troops in South Vietnam. President Nixon responded on 14 November. He repeated his intention to pursue the changes desired by President Thieu. "But far more important than what we say in the agreement," President Nixon continued,

is what we do in the event the enemy renews its aggression. You have my absolute assurance that if Hanoi fails to abide by the terms of this agreement it is my intention to take swift and severe retaliatory action.⁵³

(U) Dr. Kissinger and Le Duc Tho resumed their private talks on 20 November. They continued their discussions for five days but made no progress except to agree to meet again within several days.⁵⁴

52. Richard Nixon, The Memoirs of Richard Nixon (1978), p. 718.

53. Ibid. Ltr, Pres Nixon to Pres Thieu, 14 Nov 72, released in Washington on 30 Apr 75 by a former minister of the Thieu government, printed in the NY Times, 1 May 75, 16.

54. Nixon, Memoirs, pp. 720-723.

(U) At this point, President Nixon believed that the next session between Dr. Kissinger and Le Duc Tho would be crucial. Either an agreement would be reached or the talks broken off and, in the latter eventuality, the United States would have to resume strong military action against North Vietnam. As an indication of US "good faith and desire" to reach a settlement, President Nixon further restricted the bombing of North Vietnam. In implementation of that decision, the Joint Chiefs of Staff instructed the field commanders on 26 November to limit air action against North Vietnam to 100 tactical and 30 B-52 sorties per day in the presently authorized area between the DMZ and 20° north.⁵⁵

(U) On 29 November, President Nixon met at the White House with Nguyen Phu Duc, President Thieu's representative at the Paris talks, in a further effort to convince the South Vietnamese of the necessity for completing an agreement. In what Richard Nixon later described as "a brutally tough presentation," he again emphasized that, if an agreement was not concluded by January, the new Congress might end the war by cutting off further funds.⁵⁶

(U) The following day, 30 November, President Nixon met with Dr. Kissinger, General Haig, Secretary Laird, and the Joint Chiefs of Staff to discuss military plans in the event that the talks were broken off or that an agreement once concluded was subsequently violated by the North Vietnamese. For the former situation, the participants discussed bombing strikes against North

55. Nixon, Memoirs, p. 723. (TS) Msg, JCS 9222 to CINCPAC and CINCSAC, 261749Z Nov 72.

56. Nixon, Memoirs, pp. 723-724.

Vietnam. For the latter, the President was "adamant" that the US response should be "swift and strong."⁵⁷

(U) According to plan, Dr. Kissinger and Le Duc Tho met again in Paris on 4 December. They continued their daily sessions for ten days but failed to resolve remaining differences. On 13 December the two negotiators broke off their talks, and Dr. Kissinger returned to Washington. In a terse statement at the Paris airport, Dr. Kissinger said that he was returning home and would exchange messages with Le Duc Tho as to whether a further meeting was necessary.⁵⁸

(U) On arrival in Washington on 14 December, Dr. Kissinger reported to the President. Mr. Nixon was now convinced that only the "strongest action" would convince the North Vietnamese "that negotiating a fair settlement . . . was a better option for them than continuing the war." Accordingly, he decided to resume full-scale military action, both bombing and renewed mining against North Vietnam--a decision that would be implemented several days later.⁵⁹

(U) On 16 December, Dr. Kissinger held a press conference to explain the US position. While acknowledging that the South Vietnamese objections to a

57. Nixon, Memoirs, p. 724. No record of this meeting with the President has been found in the files of the Joint Chiefs of Staff. The NY Times reported it the following day stating that the Joint Chiefs of Staff had "signed on" to the peace settlement then being negotiated with North Vietnam. NY Times, 1 Dec 72, 1. Admiral Moorer remembered the meeting and confirmed the account of it given by former President Nixon in his Memoirs. Interview, Robert J. Watson with Admiral Thomas H. Moorer, 16 May 1979.

58. Nixon, Memoirs, pp. 724-733. NY Times, 4 Dec 72, 1; 13 Dec 72, 1; 14 Dec 72, 1.

59. Nixon, Memoirs, pp. 733-734.

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settlement were serious, Dr. Kissinger insisted that North Vietnam was to blame for the current impasse. He recounted the frustrations in his recent negotiations with Le Duc Tho. The 20-25 November session had gone well, and Dr. Kissinger returned to Paris on 4 December confident that two or three more days of effort could resolve the remaining issues. But then the North Vietnamese proceeded to withdraw agreed changes and to raise issues anew where agreement was already complete. One question would finally be settled only to have Le Duc Tho bring up another or reopen an old one. Dr. Kissinger described several remaining problems, ones he had previously described in the "peace is at hand" news conference on 26 October. "Linguistic difficulties" persisted. Changes were discussed and made in the English text, but upon examination, it was often discovered that the changes had not been incorporated into the Vietnamese text. Another was the question of international machinery to supervise the cease-fire. The United States wanted a large force with freedom of movement while North Vietnam favored a much smaller body restricted in means of transportation and communication.

(U) Dr. Kissinger stated that, although it was "tempting" to continue the talks, the President had decided to break them off. Mr. Nixon felt that it was unfair to hold the prospects of continuing talks before the American people in light of North Vietnam's lack of cooperation and its ploy of repeatedly bringing up one further new issue just when agreement seemed complete. Dr. Kissinger summed up the current status as follows:

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We are now in this curious position: Great progress has been made, even in the talks. The only thing that is lacking is one decision in Hanoi to settle the remaining issues in terms that two weeks previously they had already agreed to.

So we are not talking of an issue of principle that is totally unacceptable.

.

So we are in a position where peace can be near but peace requires decision. This is why we wanted to restate once more what our basic attitude is.⁶⁰

LINEBACKER II

(U) The decision to resume full-scale bombing and mining of North Vietnam reflected a political decision rather than a military necessity. With the suspension of the bombing of North Vietnam above 20° north on 22 October, the United States had proceeded with air operations, both tactical and B-52, in North Vietnam below that limit during November and the early weeks of December. But, while the field commanders and Admiral Moorer had sought various modifications of authorities within this approved area, they made no recommendations for renewed bombing in the rest of North Vietnam.

(TS) As it began to grow apparent by late November that the North Vietnamese were not serious about the negotiations, President Nixon and his advisers began to consider military pressure as a means of forcing the other side into a more conciliatory position. As

60. News Conference by Dr. Henry A. Kissinger, 16 Dec 72, Weekly Compilation of Presidential Documents, 18 Dec 72, pp. 1764-1770. Another version of this interview, with minor differences in language, appears in NY Times, 17 Dec 72, 34.

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already discussed above, they considered such an eventuality in the meeting on 30 November. Subsequently, at the request of the Secretary of Defense, the Joint Staff prepared a contingency plan for intensive air and naval operations throughout North Vietnam. Designated PRIMING CHARGE, it was designed to impose maximum damage on the enemy's "warmaking capability" while also producing a "mass shock effect in a psychological context." This plan included some 58 targets throughout North Vietnam selected in order of priority to allow maximum B-52 and tactical air concentration. It also provided for naval gunfire to complement the air attacks and mine reseeded in the principal deep-water ports of North Vietnam. The Acting Chairman, General John D. Ryan, USAF, who forwarded PRIMING CHARGE to the Secretary of Defense on 7 December, estimated that all the included targets could be completely destroyed within seven days, though he cautioned that poor weather typical of December might require a longer implementation time. General Ryan was ready to execute the operations within 48 hours of authorization.⁶¹

(TS) Subsequently, Dr. Kissinger, who was in Paris posed a number of questions about expanded operations against North Vietnam. How soon could a plan be prepared, he wondered, for "a limited duration operation" against "military and high psychological impact targets" with emphasis on sites not hit before? He also asked about the reaction time required to reseed the minefields. "Should we have a separate order to mine," he continued, and were diversionary bombing attacks necessary in conjunction with reseeded operations? In a memorandum of 13 December, Secretary

61. (TS-EX) CM-2344-72 to SecDef, 7 Dec 72, CJCS File 091 Vietnam, Dec 72.

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Laird informed Dr. Kissinger of the PRIMING CHARGE plan, which had already been forwarded to the White House, stating that it could be executed within 48 hours. The mine reseeded would also require 48 hours, Mr. Laird said, if MK-52 destructors were used, though MK-36s could be reseeded on short notice. The Secretary favored a separate order for the mining, but believed that diversionary bombing, although desirable, was not required for mining operations.⁶²

(TS) On the following day, 14 December, Admiral Moorer gave the Secretary of Defense some further information on PRIMING CHARGE. All B-52 aircraft would carry maximum ordnance loads and the B-52 effort would be "surged" to the fullest extent possible on the first day of the attack. He recommended a three-day strike option as "an absolute minimum" in view of the weather conditions over North Vietnam.⁶³

(TS) Dr. Kissinger had now returned from Paris convinced of the need for military action to move the North Vietnamese toward serious negotiations, and the President decided to proceed with this approach. Accordingly, the Joint Chiefs of Staff directed CINCPAC on 14 December: (1) to conduct "reseeding mine laying operations" in minefield segments 2111A and 2111B in the Haiphong channel prior to 160400Z December, with all mines set to self-destruct within 116 days; (2) to resume tactical photographic reconnaissance above 20° north upon completion of the mining. Later in the evening of 14 December, they alerted CINCPAC and CINC-SAC to prepare for a three-day, maximum effort air

62. (TS-EX) Memo, SecDef to Dr. Kissinger, "South-east Asia Air Operations," 13 Dec 72, CJCS File 091 SEA Air Ops, Jul 72-Jan 73.

63. (TS-EX) CM-2371-72 to SecDef, 14 Dec 72, CJCS File 091 Vietnam, Dec 72.

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strike, using both tactical and B-52 assets against 32 targets in the Hanoi and Haiphong areas. They wanted the attack to begin at approximately 171120Z December and authorized naval gunfire above 20° north to complement the air effort. The following day, however, the dates for all these operations were postponed by 24 hours.⁶⁴

(TS) Admiral Moorer issued the execute order for expanded air operations against North Vietnam on 16 December, instructing CINCPAC and CINCSAC to carry out an attack in accordance with the guidance provided on 14 December. The operation was to begin at approximately 181200Z December, and the objective was "maximum destruction of selected military targets in the vicinity of Hanoi/Haiphong." The Chairman directed the commanders to use all resources that could be spared without "critical detriment" to operations in South Vietnam. All B-52 aircraft were to carry maximum ordnance loads and restrike of approved targets was authorized. Admiral Moorer also authorized naval gunfire along the North Vietnamese coast to complement the air strikes. Later, on 18 December, the Chairman also ordered renewed mine and destructor seedings in North Vietnamese waters.⁶⁵

(U) Accordingly, the United States resumed both mining and full-fledged bombing of North Vietnam on 18

64. (TS-EX) Msg, JCS 3028 to CINCPAC, 141958Z Dec 72; (TS) Msg, JCS 3038 to CINCPAC, 142015Z Dec 72; (TS-EX) Msg, JCS 3348 to CINCPAC and CINCSAC, 150147Z Dec 72. (TS-EX) Msg, JCS 4219 to CINCPAC and CINCSAC, 151816Z Dec 72.

65. (TS-EX) Msg, JCS 5384 to CINCPAC and CINCSAC, 170010Z Dec 72, CJCS File 091 Vietnam, Dec 72. (TS) Msg, JCS 6292 to CINCPAC, 181617Z Dec 72.

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December 1972. In the air attack, designated LINEBACKER II, B-52 and tactical fighter bombers carried out an all-night mission against the Hanoi area, and the Haiphong channel and waters around Cam Pha and Hon Gai were reseeded in operations that continued under the name POCKET MONEY. In announcing these actions, the White House Press Secretary stated that the bombing and mining of North Vietnam would cease when all prisoners were released and an internationally supervised cease-fire was in force. Subsequently, after a peace agreement was reached, President Nixon elaborated on this decision, confirming that he had ordered the renewed bombing and mining in order to break the diplomatic deadlock.⁶⁶

(TS) On the day that LINEBACKER II began, CINCPAC asked the Joint Chiefs of Staff to add nine more targets to the approved list to provide adequate targets for tactical air strikes in the event of bad weather. Admiral Moorer incorporated these nine into a list of 50 additional targets he presented to the Secretary of Defense on 19 December. Of this total, 43 were in Hanoi and Haiphong (26 within and 17 without the control areas) and 7 were in the Chinese buffer zone. Admiral Moorer asked approval of these additional targets in order to maintain a concentrated effort against the Hanoi and Haiphong areas as well as to allow tactical air to take advantage of localized breaks in the weather. Secretary Laird approved 39 of the targets that same day and then immediately afterwards, approved five more in the Chinese buffer zone.

66. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (S) p. B-14. (TS-NOFORN) CINCPAC Command History, 1972, p. 192. NY Times, 18 Dec 72, 1; 19 Dec 72, 1. Public Papers, Nixon, 1973, p. 235.

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The Joint Chiefs of Staff relayed the new authorizations to the field, stipulating that the five strikes in the buffer zone were contingent upon weather that would allow visual and/or laser guided bomb attack and avoidance of overflight of the PRC border.⁶⁷

(TS) The initial directive for LINEBACKER II called for a three-day attack, but the President and his advisers quickly decided to extend the bombing. Accordingly, with Secretary of Defense approval, the Joint Chiefs of Staff instructed CINCPAC and CINCSAC on 19 December to continue air and naval gunfire operations against North Vietnam until further notice. The primary area of concentration remained the Hanoi and Haiphong area (Route Packages 6A and 6B) with attack on the previously authorized targets.⁶⁸

(TS) Thereupon the US air operations against North Vietnam continued without interruption until 24 December. On that date, the United States initiated a Christmas standdown in all air, naval gunfire, and mining operations against North Vietnam for the period 241700Z to 260459Z December 1972. This bombing halt in North Vietnam overlapped a holiday cease-fire in South Vietnam from 241000Z to 251000Z.⁶⁹

67. (TS-EX) Msg, CINCPAC to JCS 180808Z Dec 72, JCS IN 75389; (TS-EX) CM-2383-72 to SecDef, 19 Dec 72; (TS-EX) Msg, JCS 7656 to CINCPAC and CINCSAC, 192058Z Dec 72 (handwritten notation of SecDef approval on draft msg); (TS-EX) Msg, JCS 7850 to CINCPAC and CINCSAC, 200021Z Dec 72 (handwritten notation of SecDef approval on draft msg); CJCS File 091 Vietnam, Dec 72.

68. (TS-EX) Msg, JCS 7807 to CINCPAC, CINCSAC, and COMUSMACV, 192320Z Dec 72 (draft msg had handwritten notation of SecDef approval), CJCS File 091 SEA, Jul-Dec 72.

69. (TS-EX) Msg, JCS 3491 to CINCPAC, 231842Z Dec 72.

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(S) In the LINEBACKER II campaign to this point, US planes had attacked communications and transport facilities, command and control sites, road and rail targets, power plants, MIG bases, SAM and AAA sites, and air defense radars. In all more than 1,000 tactical and 435 B-52 sorties had been flown against North Vietnam in the seven-day period. The B-52 strikes had occurred in two phases. From 18 to 20 December US pilots directed 315 of the sorties against 11 target complexes in the Hanoi area, and thereafter 120 sorties were launched against targets not only in Hanoi but also in Haiphong, Long Dun Kep, and Thai Nguyen as well as against various SAM sites.⁷⁰

(TS) The United States had no intention of extending the Christmas standdown in the LINEBACKER II attacks, and on 23 December, the Joint Chiefs of Staff directed both CINCPAC and CINCSAC to resume the air campaign against North Vietnam "with maximum effort" on 26 December. The major objectives were: first, to complete "an achievable level of damage" against approved targets in the Hanoi-Haiphong complex and in the Chinese buffer zone; second, to isolate Hanoi from the rest of North Vietnam; third, to resume destruction of the northeast LOCs. The Joint Chiefs of Staff wanted a surge in both tactical and B-52 strikes on the initial day of the resumption and sustained pressure on the enemy thereafter. They told CINCPAC to use tactical air to maintain "round-the-clock" pressure by means of both visual and all-weather bombing systems. In accord with the JCS directive, the United States

70. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (S) pp. B-14 - B-15.

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renewed the air attack on North Vietnam on 26 December with a massive surge of tactical and B-52 strikes against the Hanoi and Haiphong areas.⁷¹

(TS) With the resumption of LINEBACKER II, several additional authorities were granted for operations against North Vietnam. On 21 December, Admiral Moorer had requested removal of the existing restriction against psychological operations in North Vietnam above 20° north and the Secretary granted this request on 23 December. The authority became effective with the resumption of LINEBACKER II and would continue for the duration of that operation. In response to another request by Admiral Moorer, Deputy Secretary of Defense Rush approved on 27 December the laying of destructors in minefield segments not previously seeded in the Hon Gai and Cam Pha areas.⁷²

(TS) Another new authority involved the attack of KOMAR-class guided missile patrol boats. The recently resumed photo reconnaissance of North Vietnam above 20° north had detected four such vessels in the Gulf of Tonkin, probably offloaded from Soviet merchant ships. Each KOMAR boat, as Admiral Moorer explained to the Secretary of Defense on 17 December, had two STYX missile launchers, giving the North Vietnamese an antiship missile capability. Pending conclusive evidence of the transfer of the KOMARS to the North

71. (TS-EX) Msg, JCS 3580 to CINCPAC and CINCSAC, 232247Z Dec 72, CJCS File 091 Vietnam, Dec 72. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (S) p. B-15.

72. (TS) CM-2385-72 to SecDef, 21 Dec 72; (TS) Memo, SecDef to CJCS, "Authority for PSYOPS against North Vietnam," 23 Dec 72; (TS-EX) Msg, JCS 3492 to CINCPAC and CINCSAC, 231847Z Dec 72. (S-EX) CM-2398-72 to SecDef, 24 Dec 72; (TS-EX) Memo, DepSecDef to CJCS, "POCKET MONEY Seeding/Reseeding," 27 Dec 72; (TS-EX) Msg, JCS 7171 to CINCPAC, 282043Z Dec 72; CJCS File 092 Vietnam, Dec 72.

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Vietnamese, Admiral Moorer had requested authority to strike any KOMAR patrol boat in North Vietnamese internal or territorial waters south of the Chinese buffer zone as well as those displaying the North Vietnamese flag or showing "hostile intent" in the Gulf of Tonkin west of 108° east. The Secretary granted this authority and the Joint Chiefs of Staff passed it to CINCPAC on 27 December.⁷³

(TS) In anticipation of the continuing campaign against North Vietnam after the Christmas standdown, Admiral Moorer began a series of requests for validation of additional targets. The new targets would allow greater flexibility for B-52 and tactical air strikes in the northeastern portion of North Vietnam. Admiral Moorer presented the first list of 12 additional targets on 23 December, and the Secretary approved three as requested, one for tactical strike only, and three for strike by guided weapons; then on 25 December, the Chairman asked approval of seven more targets and the Secretary approved; on 26 December, Admiral Moorer sought approval to strike two railroad sidings and Gia Lam airfield outside of Hanoi, and Mr. Laird approved the two rail targets but not the airfield. To reduce target validation to a more manageable system, Admiral Moorer proposed the following procedure to the Secretary on 26 December: (1) validated targets would be struck and restruck to attain the desired level of destruction; (2) targets within the Hanoi and Haiphong control circles and the Chinese buffer zone and not previously authorized would be submitted to the Secretary; (3) targets approved for LINEBACKER I and outside of the control

⁷³. (TS-EX) CM-2376A-72 to SecDef, 17 Dec 72, CJCS CM Chron File. (TS) Msg, JCS 6514 to CINCPAC, 280325Z Dec 72.

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circles or the Chinese buffer zone might be authorized by the Chairman on a case-by-case basis; (4) all new B-52 targets would require Secretary of Defense validation; (5) selected armed reconnaissance would be conducted in area around Hanoi and Haiphong to the Chinese buffer zone, particularly along the northeast LOC, including high value fleeting targets outside restricted circles and the Chinese buffer zone. Secretary Laird concurred in this procedure on 27 December, at the same time approving an additional B-52 target nominated by Admiral Moorer.⁷⁴

(C) By 29 December, President Nixon and Dr. Kissinger had received indication of North Vietnamese willingness to resume serious negotiations and, with no advance warning the President ordered a halt of all US air and naval actions in North Vietnam above 20° north. Admiral Moorer passed the necessary instruction to CINCPAC and CINCSAC at 291407Z terminating LINE-BACKER II. The cessation was to be effective 292359Z December though air and naval operations, including mining and naval gunfire, would continue below the 20th Parallel. Admiral Moorer authorized the commanders to conclude any search and rescue efforts underway

74. (TS-EX) CM-2399-72 to SecDef, 23 Dec 72. (TS-EX) Msg, JCS 4010 to CINCPAC and CINCSAC, 241739Z Dec 72. (TS-EX) CM-2405-72 to SecDef, 25 Dec 72. (TS-EX) Memo, SecDef to CJCS, "LINE BACKER II Strike Authorization Request," 26 Dec 72. (TS-EX) Msg, JCS 4829 to CINCPAC and CINCSAC, 261709Z Dec 72. (TS-EX) CM-2402-72 to SecDef, 26 Dec 72. (TS-EX) CM-2403-72 to SecDef, 26 Dec 72. (TS-EX) Msg, JCS 5911 to CINCPAC, 271710Z Dec 72. (TS) CM-2406-72 to SecDef, 26 Dec 72 (has handwritten notation of SecDef concurrence). (TS-EX) CM-2407-72 to SecDef, 27 Dec 72. (TS-EX) Msg, JCS 6320 to CINCPAC and CINCSAC, 272326Z Dec 72. All in CJCS File 091 Vietnam, Dec 72.

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at the time of the halt. He did not want the commanders to discuss the decision to stop the bombing with the press, directing them to "stonewall" all queries with the reply "we do not discuss on-going military operations." Finally, Admiral Moorer asked CINCPAC to hand-deliver a copy of this instruction to Secretary Laird who was in Hawaii at that time. On the following day, 30 December, the President's deputy press secretary announced the bombing halt. He gave no further details, stating only that Dr. Kissinger and Le Duc Tho would resume talks on 8 January.⁷⁵

(S) The final four days of LINEBACKER II, following the Christmas pause, continued the B-52 and tactical air strikes in the Hanoi, Haiphong, and Chinese buffer zone areas. Transportation, communication, power generating, and air defense sites were struck and US planes flew more than 300 B-52 sorties against 13 target complexes. Overall, LINEBACKER II caused serious damage in North Vietnam, and both military assessments and press reports revealed "very heavy" destruction in the target areas. But, if the United States inflicted considerable damage in LINEBACKER II, it also received the same in terms of losses of aircraft and personnel. During the twelve-day campaign, the enemy downed 13 US tactical aircraft. More significantly, however, was the enemy destruction of B-52s. Heretofore, only one B-52 had been lost to enemy action in the Southeast Asian operations,⁷⁶ but during

⁷⁵. (TS) Msg, JCS 7826 to CINCPAC and CINCSAC, 291407Z Dec 72. NY Times, 31 Dec 72, 3.

⁷⁶. The United States had employed B-52 aircraft in Southeast Asia since June 1965, but none had been lost to enemy action until 22 November 1972 when one was downed by a SAM in the lower part of North Vietnam. See (S-NOFORN) CINCPAC Command History, 1972, pp. 165-166.

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LINEBACKER II, enemy SAMs downed 15 of the strategic bombers. In addition, US aircrew casualties during the expanded bombing of December amounted to 93 missing with 31 reported captured.⁷⁷

(U) The LINEBACKER II campaign produced a public outcry both in the United States and abroad. From the time of the initial strikes on 18 December, the North Vietnamese repeatedly charged the United States with the destruction of civilian targets, claiming damage to hospitals, prisons, cultural and social institutions, and suburban areas with thousands of civilians killed or injured. Moreover, the North Vietnamese press agency announced that the US raids on Hanoi had struck a number of foreign missions, including the embassies of Cuba, Egypt, India, Bulgaria, East Germany, and Albania. Spokesmen at COMUSMACV's headquarters in Saigon, however, insisted that the US strikes were directed only against military targets.⁷⁸

(U) The reaction of North Vietnam's supporters was as might have been expected. The People's Republic of China protested damage to a Chinese freighter anchored in Haiphong harbor and charged the United States with "a new barbarous crime." Subsequently, the Chinese promised to support North Vietnam as long as the United States proceeded in its war of aggression. The Soviet Union also denounced the "barbarian acts" of the United States, calling for an end of the bombing and a prompt agreement for a peaceful settlement.⁷⁹

77. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (S) p. B-15. (TS-NOFORN) CINCPAC Command History, 1972, pp. 164-166. NY Times, 28 Dec 72, 1; 31 Dec 72, 1. Knappman, South Vietnam, pp. 217-220.

78. NY Times, 22 Dec 72, 1; 26 Dec 72, 8; 28 Dec 72, 1, 2; 29 Dec 72, 1, 3. Knappman, South Vietnam, pp. 211-213.

79. NY Times, 20 Dec 72, 2; 21 Dec 72, 16; 22 Dec 72, 1, 10, 12. Knappman, South Vietnam, p. 21.

(U) Elsewhere in the world, Pope Paul IV deplored the bombing and called for patient negotiations for peace. At the United Nations, Secretary General Waldheim similarly asked for renewed efforts to end the war. Swedish Premier Olof Palme, an established critic of US policy in Vietnam, compared the new bombing of North Vietnam to the Nazi atrocities in World War II, and the United States responded by asking Sweden not to replace its ambassador in Washington who was returning home in January.⁸⁰

(U) In the United States, the bombing rekindled dissent by the war critics as well. In the Senate, Democratic Senators Mansfield, Muskie, McGovern, and Tunney and Republicans Javits, Saxbe, and Case all decried the President's action. Protests occurred in New York and various other cities scattered throughout the country, and 41 religious leaders issued a pastoral letter on 22 December condemning the bombing and calling for an immediate end of the war based on the proposed agreement of the previous October. At the annual meeting of the American Association for the Advancement of Science in Washington, D. C., a letter was circulated and signed by many participants criticizing the bombing as an "outrageous misuse of the fruit of science for death and destruction." The bombing halt on 29 December, however, stilled the criticism and now, both in the United States and around the world, all eagerly awaited the resumption of the negotiations.⁸¹

80. NY Times, 21 Dec 72, 16; 23 Dec 72, 1; 24 Dec 72, 4. Knappman, South Vietnam, pp. 213, 218-219.

81. NY Times, 20 Dec 72, 15; 21 Dec 72, 16; 23 Dec 72, 1, 7; 29 Dec 72, 3. Knappman, South Vietnam, pp. 213-214, 217-218.

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CHAPTER 13

THE AGREEMENT

The Talks Resume

(U) On 26 December 1972, the day the United States resumed LINEBACKER II after a brief Christmas stand-down, President Nixon received a message from the North Vietnamese. Although condemning the bombing, they indicated readiness to continue the negotiations. They did not insist on a bombing halt as a precondition and suggested that Dr. Kissinger and Le Duc Tho meet in Paris on 8 January. In reply, President Nixon proposed that technical talks begin on 2 January, if the Kissinger-Tho meeting was to be delayed until 8 January. He also offered to halt the air attacks above 20° north once arrangements for the meetings were complete. The North Vietnamese accepted the US proposal on 28 December, confirming the 2 and 8 January dates. Accordingly, President Nixon restricted the bombing of North Vietnam on 29 December¹ and, the following day, the United States publicly announced the resumption of the negotiations.²

(U) In accord with the agreed plan, US and North Vietnamese "technical experts" met in Paris on 2 January for discussions on enforcement of a cease-fire. Deputy Assistant Secretary of State William H. Sullivan traveled from Washington to lead a US team of five. The North Vietnamese delegation was headed by Deputy Foreign Minister Nguyen Co Thach. The discussions continued for four successive days in suburban Paris, meeting alternately in a house chosen by North

1. See pp. 675-676.

2. Richard Nixon, The Memoirs of Richard Nixon (1978), p. 741. NY Times, 31 Dec 72, 3.

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Vietnam and then one selected by the United States. No public statements were issued at the conclusion of the daily sessions and neither delegation commented on the progress of the talks. But, by the conclusion of the meeting on 5 January, the two sides had engaged in nearly 30 hours of discussions, indicating the seriousness and level of detail of these technical talks.³

(U) Meantime, on 4 January, the United States, the Governments of North and South Vietnam, and the Viet Cong's Provisional Revolutionary Government reconvened their weekly plenary peace talks. Ambassador William J. Porter and Pham Dang Lam represented the United States and South Vietnam, but Xuan Thuy and Mme. Binh, chief delegates of North Vietnam and the Provisional Revolutionary Government did not attend and were represented by their deputies. The allied side set forth its standard position calling for the withdrawal of all North Vietnamese forces from the south, restoration of the DMZ, and acknowledgment of the existence of two sovereign states in Vietnam. The communist side responded by criticizing the December bombing and demanding the immediate signature of the October accord.⁴

(U) South Vietnamese President Nguyen Van Thieu had greeted the resumed talks with restraint. At a New Year's reception at the Presidential Palace, he had said that his country wanted "a durable, long-lasting peace, not just an armistice which the Communists can exploit to renew their aggression." Otherwise, he made no comment on the renewed negotiations. He did, however, dispatch two diplomats to foreign capitals to

3. NY Times, 3 Jan 73, 1; 4 Jan 73, 3; 5 Jan 73, 3; 6 Jan 73, 2; 9 Jan 73, 12.

4. (C) Msgs, US Del France 198 and 260 to State, 4 Jan 73, JCS IN 13922 and 14400.

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generate support for his stand on the sovereignty of South Vietnam. Subsequently, on 4 January, he announced that he was sending five South Vietnamese senators to Washington. Unofficial reports indicated that this mission would attempt to persuade the US Congress to continue aid for South Vietnam.⁵

(U) In yet another attempt to persuade the South Vietnamese president to accept a possible agreement, President Nixon wrote to him on 5 January. He assured President Thieu that the United States would present the South Vietnamese views to the communists. With respect to the question of North Vietnamese forces in the south, however, Mr. Nixon was not too optimistic that South Vietnamese desires would be accommodated. He cautioned President Thieu that, if the two outstanding substantive issues relating to the DMZ and the method of signature of an agreement could be resolved, and if acceptable supervisory machinery could be arranged, the United States would proceed to conclude a settlement. President Nixon went on to warn:

The gravest consequence would then ensue if your government chose to reject the agreement and split off from the United States. . .

As we enter this new round of talks, I hope that our countries will now show a united front. It is imperative for our common objectives that your government take no further actions that complicate our task and would make more difficult the acceptance of the settlement by all parties.

Once again, President Nixon promised further support if South Vietnam accepted the agreement, stating:

5. NY Times, 2 Jan 73, 1; 5 Jan 73, 2.

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You have my assurance of continued assistance in the post-settlement period and that we will respond with full force should the settlement be violated by North Vietnam.⁶

(C) In anticipation of the renewed negotiations, the Chairman of the Joint Chiefs of Staff cautioned US field commanders against actions indicating preparation for a settlement in Vietnam. "Until a cease-fire is actually signed," he told CINCPAC, COMUSMACV, and Deputy COMUSMACV on 6 January, "great care must be exercised that we do not give the wrong 'signal' to Hanoi." The commanders must guard against planning that, if known to North Vietnamese leaders might convince them the United States had decided on a cease-fire regardless of the cost. Recognizing the necessity to proceed with certain planning, Admiral Moorer advised the commanders that "a fine sense of judgment" was required to avoid activities that could give the North Vietnamese the wrong impression. Specifically, he ordered holding in abeyance movement of advance parties of the US Support Activities Group/7th Air Force to Thailand or movement of elements of the Joint Casualty Resolution Center. In addition, any planning with third countries was to be conducted with care.⁷

(U) Dr. Kissinger arrived in Paris on 7 January for his scheduled meeting with Le Duc Tho. "President Nixon has sent me back," he said on arrival, "to make one more major effort to conclude the negotiations."

6. Ltr, Pres Nixon to Pres Thieu, 5 Jan 73, released in Washington on 30 Apr 75 by a former minister of the Thieu government, printed in NY Times, 1 May 75, 16.

7. (S-EX) Msg, JCS 6357 to CINCPAC, COMUSMACV, Dep COMUSMACV, 060609Z Jan 73.

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The next day the two negotiators met at a house in suburban Gif-sur-Yvette, a site selected by the North Vietnamese. No signs of affability, smiles or handshakes, preceded the session as had been the practice at earlier meetings. In fact, when Dr. Kissinger arrived, he received no public reception at all; rather, after waiting a minute in the rain, he opened the door and let himself in. The talks lasted four and a half hours and adjourned without public comment by either party. Meanwhile, the technical experts held a separate session on secondary aspects of a cease-fire.⁸

(U) On the following day, 9 January, Dr. Kissinger and Le Duc Tho met again. In accordance with prior agreement, the principals' meetings, like those of the technical experts, alternated between sites chosen by the two parties. Dr. Kissinger hosted the meeting on 9 January at a house in outlying St. Nom-la-Breteche. In a reversal of the situation the preceding day, Le Duc Tho arrived, let himself in, and departed after the five and a half hour session without any public attendance from Dr. Kissinger.⁹

(U) The two negotiators continued their meetings on 10 and 11 January but made no public statements. On 11 January, however, Dr. Kissinger cabled President Nixon: "We have finished the complete text of the agreement." Subsequently, Le Duc Tho and Dr. Kissinger held two more sessions, apparently to resolve remaining details, and then Dr. Kissinger left for the United States on the evening of 13 January. His only public comment was a brief departure statement at the airport that the six days of talks had been "very extensive and useful." He was returning, he said, to report to

8. NY Times, 8 Jan 73, 1; 9 Jan 73, 1.

9. Ibid., 10 Jan 73, 3.

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President Nixon who would decide what further steps should be taken. Similarly, the North Vietnamese limited their public remarks on the negotiations, merely acknowledging "progress" in the talks.¹⁰

(U) Meantime, the technical experts had proceeded with their separate meetings. On 10 January, Major General G. H. Woodward, USA, the MACV Chief of Staff and a participant in the small MACV group studying control and supervision of a cease-fire, arrived in Paris to join the US team, and on 11 January, the technical experts met in joint session with the principals. Following Dr. Kissinger's departure for the United States, the US technical experts remained in Paris, meeting with their North Vietnamese counterparts to resolve remaining technical problems.¹¹

(U) Despite the tentative agreement reached by Dr. Kissinger and Le Duc Tho on 11 January, there was no indication of that development in the session of the formal peace talks held that same day at the Majestic Hotel. As had been the case throughout the four years of these talks, the public and press were excluded from the meeting, but at the close, a full transcript was released. While the exchanges were "restrained and moderate" in tone, no progress resulted.¹²

(U) Dr. Kissinger flew directly from Paris to Homestead Air Force Base in Florida, arriving early in

10. Nixon, Memoirs, p. 749. NY Times, 9 Jan 73, 1; 10 Jan 73, 3; 11 Jan 73, 1; 12 Jan 73, 1; 14 Jan 73, 1.

11. NY Times, 9 Jan 73, 1; 10 Jan 73, 3; 11 Jan 73, 1; 12 Jan 73, 1; 13 Jan 73, 1; 14 Jan 73, 1. (TS-EX) Final Report, US Del., FPJMC, n.d., Att to JCS 2472/813, 20 Jun 73, JMF 911/533 (20 Jun 73).

12. (C) Msgs, US Del France 752 and 767 to State, 11 Jan 73, JCS IN 27301 and 27342.

the morning of 14 January. He went immediately to Key Biscayne to confer with President Nixon at the Florida White House. Several hours later, President Nixon dispatched General Alexander Haig, previously Dr. Kissinger's deputy and now the Army Vice Chief of Staff, to South Vietnam. White House Press Secretary Ronald Zeieler said that General Haig would consult with President Thieu on the negotiations and would also visit Thailand, Cambodia, and Laos. Admiral Moorer relayed to General Weyand a copy of the Department of State dispatch alerting the US Embassies concerned of the impending visit. As set forth therein, the trip was "for the purpose of conferring with the leaders of the Republic of Vietnam, Cambodia, Laos, Thailand and with key Embassy and military officials." Although the Department of State did not elaborate further, the Haig mission followed a procedure that had evolved the previous fall, when, after a significant development in the private negotiations, Dr. Kissinger returned to report to the President who then sent an envoy to Saigon to notify President Thieu.¹³

(U) The President and Dr. Kissinger conferred throughout most of the day on 14 January. The following morning, White House Press Secretary Ziegler announced that because of the progress in the negotiations the President had directed a suspension of all bombing, shelling, and further mining of North Vietnam, effective 1000 Washington time. In the course of subsequent questioning, Mr. Ziegler explained that the suspension of mining applied to any additional mining; removal of seeded mines was a matter then under negotiation. The Press Secretary added that Dr. Kissinger

¹³. NY Times, 15 Jan 73, 1. (S) Msg, JCS 5482 to COMUSMACV and COMUSMACTHAI, 142027Z Jan 73.

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ould return to Paris in "the relatively near future" but provided no details on further negotiations.¹⁴

(C) As had been the case the preceeding fall, the Joint Chiefs of Staff had no oportunity to review the draft agreement. They did, however, act at once to implement the President's decision to halt the bombing in North Vietnam. They instructed CINCPAC and CINCSAC late on 14 January to suspend all offensive operations against North Vietnam, including the Demilitarized Zone above the PMDL and within territorial waters claimed by North Vietnam, effective 151500Z January. This suspension encompassed air strikes, artillery fire, mining and seeding, and naval bombardment; psychological operations involving overflight of North Vietnam or the Demilitarized Zone north of the PMDL were also prohibited. The Joint Chiefs of Staff did allow immediate pursuit into North Vietnamese territorial seas and airspace. In addition, reconnaissance operations over North Vietnam were allowed, but limited to drone and SR-71 aircraft. Nothing in these restrictions, the Joint Chiefs of Staff told CINCPAC and CINCSAC, was to construed as preventing any commander from defending his command. Moreover, ground, air, and naval operations in South Vietnam, Laos and Cambodia as then authorized were not affected. Subsequently, on 18 January, the Joint Chiefs of Staff extended the restrictions on actions against North Vietnam to include special operations and leaflet and mini-radio operations regardless of method of delivery.¹⁵

14. NY Times, 16 Jan 73, 12.

15. Interview, Robert J. Watson with ADM Thomas H. Moorer, 16 May 79. (TS-EX) Msg, JCS 5597 to CINCPAC and CINCSAC, 150356Z Jan 73 (draft of this message has handwritten approval of CJCS and SecDef); (TS-EX) Msg, JCS 9015 to CINCPAC and CINCSAC, 180014Z Jan 73; (TS-EX) Msg, JCS 9017 to CINCPAC, 180014Z Jan 73; CJCS File 091 Vietnam, Jan 73.

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Waiting for a Cease-Fire

(U) There was now widespread optimism in the United States and around the world that a tentative agreement had been reached for the settlement of the Vietnam war. The White House Press Secretary refused to comment, however, on the possibility of an agreement, stating that the United States and North Vietnam had a mutual agreement not to discuss "the details or the substance" of the negotiations. But events, both the suspension of US operations against North Vietnam and the dispatch of General Haig to Saigon, seemed a clear indication that some decisive movement in the negotiations was imminent.¹⁶

(U) General Haig arrived in Saigon on 16 January with the formidable task of convincing President Thieu to accept the just concluded agreement. Once again he carried a letter from Richard Nixon. The US President wrote that he had "irrevocably" decided to initial the agreement on 23 January and sign it five days later. If necessary, he continued, he would do so alone, but,

in that case, I shall have to explain publicly that your government obstructs peace. The result will be an inevitable and immediate termination of U.S. economic and military assistance

President Nixon hoped, however, that such would not be the case and repeated the assurance he had previously conveyed:

At the time of signing the agreement I will make emphatically clear that the United States recognizes your government as the only legal government of South Vietnam; that we do not

16. NY Times, 16 Jan 73, 12; 17 Jan 73, 10.

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recognize the right of any foreign troops to be present on South Vietnamese territory; and that we will react strongly in the event the agreement is violated. It is my firm intention to continue full economic and military aid.

President Thieu's initial reaction was negative but, after two days of discussions with General Haig and another letter from President Nixon, he reluctantly gave his assent.¹⁷

(U) Meantime, in Paris, the technical experts had continued their long daily sessions, working out the precise wording and details of a cease-fire. But, as before, neither side commented on what transpired at the meetings. On 18 January 1973, representatives of the United States, South Vietnam, North Vietnam, and the Provisional Revolutionary Government held what turned out to be the last session of the formal Paris talks. Presentations by both sides were moderate and restrained, but no announcements were made or agreements reached. This final meeting typified the dismal record of the four years of the plenary talks.¹⁸

(U) The 18 January session of the plenary talks was completely eclipsed in the public's attention by a joint US-North Vietnamese announcement that same day that their negotiators would return to Paris on 23 January to complete the text of an agreement to end the war. In Washington, White House Press Secretary Ziegler read the text of the joint statement, and this announcement was the first official US acknowledgement of the existence of a draft agreement. In subsequent

17. Nixon, Memoirs, pp. 749-751. NY Times, 16 Jan 73, 12; 17 Jan 73, 1 and 10; 18 Jan 73, 1.

18. NY Times, 17 Jan 73, 10. (C) Msgs, US Del France 1292 and 1338 to State, 18 Jan 73, JCS IN 40148 and 40599.

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fire on the initial day of the action. The marines renewed the attack on 20 January, but despite fierce fighting, no significant ground was taken. In Military Region 3, earlier in the month, South Vietnamese forces had launched an operation along the Saigon River corridor, northwest of the capital in Binh Duong, Binh Long, and Tay Ninh Provinces. The action had proceeded with little enemy resistance until the period 18-20 January. Then heavy contact with the enemy occurred in the area of an old Michelin rubber plantation, and artillery, and tactical air strikes assisted the South Vietnamese ground forces. Thereafter the enemy broke contact and the ARVN troops returned to populated areas to resume security duties. Elsewhere in the country, the RVNAF began shifting troops in anticipation of a cease-fire, and the enemy increased hamlet infiltration, highway interdiction, stand-off attacks, and limited ground attacks against South Vietnamese territorial units.²¹

The Announcement

(U) Dr. Kissinger returned to Paris on 22 January, and the following day, he and Le Duc Tho met in a private session at the International Conference Center in the old Majestic Hotel, the site of the plenary Paris peace talks. They emerged from the meeting without public comment, but waved at newsmen and shook hands "enthusiastically" for the television cameras. Shortly thereafter, it was announced in Washington that the President would speak to the nation that evening.²²

21. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (C) pp. 116, 125-126, 129-130.

22. NY Times, 24 Jan 73, 1 and 16.

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questioning, he added only that the objective of the agreement was to stop the fighting, restore peace, and end the war. He would not elaborate further and would not speculate on how long Dr. Kissinger might remain in Paris. In answer to a reporter's question, he said that Dr. Kissinger would have no public statement to make before his departure.¹⁹

(U) Now all awaited the resumption of the negotiating sessions between Dr. Kissinger and Le Duc Tho on 23 January. In Paris, the daily meetings of the US and North Vietnamese technical experts proceeded. In Washington, Richard Nixon was inaugurated President of the United States for a second term on 20 January 1973. In his inaugural address, he made no specific mention of Vietnam or a settlement there though he did refer in passing to the coming end of "America's longest and most difficult war." General Haig returned briefly to Saigon on 20 January for a final meeting with President Thieu and then flew home via Korea. He arrived in Washington the following day and met at once with the President and Dr. Kissinger.²⁰

(C) Military action in South Vietnam had been relatively light during the first half of January, but with the prospect of an approaching settlement, significant fighting erupted as both sides attempted to improve their positions before a cease-fire. In Military Region 1, RVN marines launched an attack on 17 January toward the Cua Viet River in Quang Tri Province, just below the Demilitarized Zone. This attack met strong resistance and heavy attacks by fire including an estimated 4,000 rounds of mortar and artillery

19. NY Times, 19 Jan 73, 3.

20. Ibid., 20 Jan 73, 1; 21 Jan 73, 1; 22 Jan 73,

1. Public Papers, Nixon, 1973, pp. 12-15.

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period, all US forces would withdraw from South Vietnam. Moreover, the President said, "the people of South Vietnam have been guaranteed the right to determine their own future, without outside interference."

(U) The President told the American people that, throughout the years of negotiations, the United States had insisted on peace with honor. He believed that the agreement just concluded accomplished that purpose. The United States had been in "the closest consultation" with President Thieu and the Government of Vietnam and the settlement met the goals and had the "full support" of the South Vietnamese President and his government. President Nixon went on to announce that the United States would continue to recognize the Government of Vietnam as "the sole legitimate government of South Vietnam" and would continue to aid it within the terms of the agreement.

(U) Finally, President Nixon recognized that the agreement was only the first step toward building peace. "All parties," he said, "must now see to it that this is a peace that lasts." The United States was ready to adhere scrupulously to the agreement and do everything required by its terms. The President expected similar action from the other parties and specifically called upon the people and government of North Vietnam as follows:

As we have ended the war through negotiation, let us now build a peace of reconciliation. For our part, we are prepared to make a major effort to help achieve that goal. But just as reciprocity was needed to end the war, so too will it be needed to build and strengthen the peace.²⁴

24. Public Papers, Nixon, 1973, pp. 18-20.

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(U) In a television address at 2200, Washington time, on 23 January 1973, President Nixon announced that an agreement had been concluded to end the war and bring "peace with honor" in Vietnam and Southeast Asia. He read the following statement that was being issued simultaneously in Hanoi:

(At 12:30 Paris time today, January 23, 1973, the Agreement on Ending the War and Restoring Peace in Vietnam was initialed by Dr. Henry Kissinger on behalf of the United States, and Special Adviser Le Duc Tho on behalf of the Democratic Republic of Vietnam.

The agreement will be formally signed by the parties participating in the Paris Conference on Vietnam on January 27, 1973, at the International Conference Center in Paris.

The cease-fire will take effect at 2400 Greenwich Mean Time, January 27, 1973. The United States and the Democratic Republic of Vietnam express the hope that this agreement will insure stable peace in Vietnam and contribute to the preservation of lasting peace²³ in Indochina and Southeast Asia.

(U) President Nixon then proceeded to characterize the agreement, the text of which, with accompanying protocols, would be released the next day. An internationally supervised cease-fire would begin at 1900, Washington time, on 27 January, and within 60 days of that date all Americans held prisoner throughout Indochina would be released. During the same 60-day

23. Public Papers, Nixon, 1973, p. 18.

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It will be our challenge in the future to move the controversies that could not be stilled by any one document from the level of military conflict to the level of positive human aspirations, and to absorb the enormous talents and dedication of the people of Indochina in the tasks of construction rather than in the tasks of destruction.²⁷

(U) On the same day, 24 January, Le Duc Tho held a news conference in Paris to discuss the agreement. He, too, claimed victory, a victory for the Vietnamese people and "the crowning of a valiant struggle waged in unity by the army and the people of Vietnam on all fronts. . . . " In contrast to what Dr. Kissinger said, Le Duc Tho maintained that the agreement just completed was "basically" the same as the one reached the previous October. Nor did the North Vietnamese negotiator give any indication of recognition of the sovereignty of South Vietnam. With the return of peace, he said, the struggle entered "a new period," indicating that unification of Vietnam remained a definite goal. "The Vietnamese people," he concluded, "has . . . every reason to believe in the victorious accomplishment of its tasks in the new period. No reactionary force will be able to slow down the march forward of the Vietnamese people."²⁸

(U) According to plan, US Secretary of State William P. Rogers, South Vietnamese Foreign Minister Tran Van Lam, North Vietnamese Foreign Minister

27. News Conference of Dr. Kissinger, 24 Jan 73, Weekly Compilation of Presidential Documents, 29 Jan 73, pp. 64-74.

28. NY Times, 25 Jan 73, 22.

(U) President Thieu announced the agreement on the morning of 24 January in Saigon but, actually, because of the time difference, his speech coincided with President Nixon's announcement in Washington. The South Vietnamese President claimed victory over North Vietnam, stating that "our people" had truly destroyed the communist troops from the north. "The Communists," he said, "have been forced to stop the conflict because they cannot beat us by force or by violence." He assured the South Vietnamese people that the communists had been forced to recognize two Vietnams and that North Vietnam would respect the sovereignty and independence of South Vietnam. He cautioned, however, that the accord was only "a cease-fire agreement," adding that whether there would be "real peace" must wait to be seen. Although he could not guarantee true peace, he pledged to "see to it that peace will come."²⁵

(U) Dr. Kissinger, who had returned to Washington, released the text of the agreement with its protocols on 24 January, indicating that the final documents would be signed in Paris on 27 January 1973 by the foreign ministers of the four parties involved. He then went over the agreement clause by clause, explaining and elaborating on each.²⁶ He stated that the agreement as finally accepted contained, at US insistence, substantial "adaptations" and "clarifications" of the text proposed in October 1972. He admitted that the settlement was not perfect in every respect and that whether it brought a lasting peace depended on the spirit in which it was implemented. He added:

25. NY Times, 24 Jan 73, 1 and 16.

26. Dr. Kissinger's comments on specific aspects of the agreement, as appropriate, are included in the description of the substance of the agreement, below, pp. 696-709.

The Agreement

67 (U) The "Agreement on Ending the War and Restoring Peace in Vietnam" comprised a basic document in nine chapters with four supporting protocols. Chapter I consisted of one short sentence: "The United States and all other countries respect the independence, sovereignty, unity, and territorial integrity of Vietnam as recognized by the 1954 Geneva Agreements on Vietnam." Significantly absent was any language recognizing a separate South Vietnam, a point long deemed essential to any settlement by President Thieu and his government. The matters of South Vietnam's existence and the reunification of Vietnam were treated, however, in subsequent chapters which could be interpreted as recognition of a separate South Vietnam.

(U) Chapter II called for the cessation of hostilities and the withdrawal of troops. A cease-fire would take effect throughout South Vietnam at 2400 hours Greenwich Mean Time on 27 January 1973 (0800, 28 January, Saigon time), and the United States would stop all ground, air, and naval actions against North Vietnam. In addition, the United States would end the mining of North Vietnam waters and "remove, permanently deactivate, or destroy" all mines in such waters as soon as the agreement went into effect. Within 60 days of the signature of the agreement, all US forces, as well as the forces of those other foreign nations allied with the United States, would be withdrawn from South Vietnam. The second chapter also required the "dismantlement" of all US military bases in South Vietnam and forbade the introduction of military personnel and advisers, armaments, munitions, or "war

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Nguyen Duy Trinh, and Provisional Revolutionary Government Minister of Foreign Affairs Nguyen Thi Binh signed the "Agreement on Ending the War and Restoring the Peace in Vietnam" with accompanying protocols at the International Conference Center in Paris on 27 January 1973. In the words of Henry Kissinger, the procedure was "somewhat convoluted," and two sets of documents were actually signed. In the morning the US Secretary of State and the three Vietnamese foreign ministers signed a four-party document that did not mention the parties by name except on the signature pages. The United States and South Vietnamese representatives signed on one page while those of North Vietnam and the Provisional Revolutionary Government placed their signatures on a separate page. This format allowed both South Vietnam and the Provisional Revolutionary Government to sign the Agreement even though each still refused to recognize the other. In the afternoon, Secretary Rogers and Minister Nguyen Duy Trinh signed a two-power document that was identical to the morning version except for the preamble and the concluding paragraph. Whereas the four-power document referred only to the "parties" participating in the Paris Conference on Vietnam, the two-power one named the parties as the "United States, with the concurrence of the Government of the Republic of Vietnam," and the "Democratic Republic of Vietnam, with the concurrence of the Provisional Revolutionary Government of the Republic of South Vietnam."²⁹

29. "Agreement on Ending the War and Restoring Peace in Vietnam" (two versions), 17 Jan 73, Weekly Compilation of Presidential Documents, 29 Jan 73, pp. 45-64. For the text of the Agreement and the accompanying protocols, see Appendix 3, pp. 855-875.

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States and North Vietnam pledged to respect the principles of "self-determination" for the South Vietnamese people, including "free and democratic general elections under international supervision" to decide the political future of South Vietnam. Chapter IV also called upon the two South Vietnamese parties to form a National Council of National Reconciliation and Concord to promote a spirit of cooperation and to implement the agreement. Dr. Kissinger explained that the United States had consistently maintained that it would not impose any political solution on South Vietnam, and Chapter IV, he believed, met that obligation. The existing government in Saigon could remain in office; no political settlement was imposed on South Vietnam; and the political future of that country depended on agreement among the South Vietnamese parties concerned.

(U) In Chapter V, the parties agreed that reunification of Vietnam should be carried out "step by step through peaceful means on the basis of discussions and agreements between North and South Vietnam, without coercion or annexation by either party, and without foreign interference." Pending reunification, the chapter continued, the military demarcation line between the "two zones" at the 17th Parallel was "only provisional and not a political or territorial boundary." Here again, the agreement went counter to the position of President Thieu who had advocated recognition of the demarcation line as a national boundary. The next section of the chapter, however, did require both "North and South Vietnam" to respect the Demilitarized Zone on both sides of the Provisional Military Demarcation Line, a stipulation that President Thieu had insisted upon.

(U) In discussing Chapter V, Dr. Kissinger stated:

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material" into South Vietnam. But both "South Vietnamese parties" were permitted to replace military equipment in South Vietnam at the time of the agreement on a one-for-one basis under international supervision and control.

(U) Chapter III dealt with prisoners of war, specifying the return of all captured military personnel and foreign civilians during the same 60-day period. Also, the parties were to help each other obtain information of missing personnel. The question of the return of Vietnamese civilians captured and detained in South Vietnam would be resolved by "the two South Vietnamese parties." In describing this aspect of the agreement on 24 January, Dr. Kissinger said that the United States had insisted upon separation of the question of US prisoners from that of the detention of Vietnamese civilian personnel.³⁰ The United States took this position because of the "enormous difficulties" in distinguishing Vietnamese civilians detained for reasons of civil war from those held for criminal activities. This matter, Dr. Kissinger said, proved "one of the thorniest issues" of the negotiations, but he believed it had been resolved to US satisfaction. The return of US prisoners was "unconditional," and Dr. Kissinger expected that they would be released at intervals of two weeks or 15 days in roughly equal installments. All would be turned over to US medical evacuation teams in Hanoi.

(U) Chapters IV and V implicitly recognized the existence of South Vietnam. In Chapter IV, The United

³⁰. All reference to Dr. Kissinger's explanation and amplification of the agreement are from his news conference of 24 January 1973, Weekly Compilation of Presidential Documents, 29 Jan 73, pp. 64-74.

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thereafter the Two-Party Commission would enforce the cease-fire throughout South Vietnam. The functions and organization of all three bodies were spelled out in detail in the protocols to the basic agreement.

(U) In the final provision of Chapter VI, the parties agreed to convene an international conference within 30 days

to acknowledge the signed agreements; to guarantee the ending of the war, the maintenance of peace in Vietnam, the respect of the Vietnamese people's fundamental national rights, and the South Vietnamese people's right to self-determination; and to contribute to and guarantee peace in Indochina.

The United States and North Vietnam, on behalf of the parties participating in the agreement, proposed attendance of the following states: the People's Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom, the four countries of the International Commission of Control and Supervision, and the Secretary General of the United Nations, together with the four parties to the agreement.

(U) In Chapter VII, the parties pledged to respect the 1954 Geneva Agreements on Cambodia and the 1962 Geneva Agreements on Laos, recognizing the sovereignty, independence, and territorial integrity of those two countries. Specifically, the parties agreed: to refrain from using the territory of either Laos or Cambodia to encroach on the sovereignty or security of one another or of other countries; to end all military activities in those two countries; and to withdraw totally and refrain from reintroducing troops, military advisers, armaments, and war material there. Additionally, the internal affairs of the two countries were to

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it is obvious that there is no dispute in the agreement between the parties that there is an entity called South Vietnam, and that the future unity of Vietnam, as it comes about, will be decided by negotiation between North and South Vietnam, that it will not be achieved by military force, indeed, that the use of military force with respect to bringing about unification, or any other form of coercion, is impermissible according to the terms of this agreement.

He went on to state that the United States had insisted on respect for the Demilitarized Zone in order to restrict infiltration and enforce the restrictions of the agreement against the introduction of men and materiel into South Vietnam.

(U) Chapter VI provided for machinery to implement the agreement. Specifically included were: a Four-Party Joint Military Commission, composed of representatives of all four signatories, to insure compliance with the cease-fire, troop withdrawal, base dismantling, return of prisoners, and exchange of information on missing military personnel; a Two-Party Joint Military Commission, consisting of representatives of the two South Vietnamese parties, to carry out those provisions assigned to them in the agreement; and an International Commission of Control and Supervision (ICCS), made up of representatives of Canada, Hungary, Indonesia, and Poland, to oversee implementation of the agreement and report any violation. The Four-Party Commission was to begin operations immediately upon signature of the agreement and cease its activities 60 days later, following the withdrawal of US forces;

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with two sets of documents signed at separate ceremonies. Only the United States and North Vietnam were parties to the mine removal protocol and it was signed only once at the afternoon ceremony.³²

(U) The prisoner of war protocol provided for the parties to exchange lists of all captured military personnel and foreign civilians on the day of signature. The return was to be accomplished without delay at places arranged by the Four-Party Joint Military Commission. It was to be completed within 60 days of the signature of the agreement "at a rate no slower than the rate of withdrawal from South Vietnam of United States forces and those of other foreign countries." The two South Vietnamese parties were to exchange lists of captured and detained Vietnamese civilians within 15 days of the cease-fire and to carry out the return of such personnel "in a spirit of national reconciliation and concord with a view to ending hatred and enmity in order to ease suffering and to reunite families." The protocol specified that all captured military personnel and captured foreign civilians were to be treated humanely and that two or more national Red Cross societies could visit the places where such personnel were held within 15 days of the cease-fire to contribute to improvement of living conditions there. The Joint Military Commissions were

32. Protocols to the Agreement on Ending the War and Restoring Peace in Vietnam Concerning: The Return of Captured Military Personnel and Foreign Civilians and Captured and Detained Vietnamese Civilian Personnel; The International Commission of Control and Supervision; The Cease-fire in South Vietnam and the Joint Military Commissions; and The Removal, Permanent Deactivation, or Destruction of Mines in the Territorial Waters, Ports, Harbors, and Waterways of the Democratic Republic of Vietnam. Weekly Compilation of Presidential Documents, 29 Jan 73, pp. 51-64.

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be settled by their own people free of foreign interference. Dr. Kissinger, in explanatory remarks, indicated his expectation of a formal cease-fire in Laos "within a short period of time" and a "de facto" cease-fire in Cambodia "over a period of time relevant to the execution of this agreement."

(U) Chapter VIII anticipated an improvement of relations between North Vietnam and the United States based on mutual respect for each other's independence and sovereignty and non-interference in internal affairs. Dr. Kissinger explained that:

It is our firm intention in our relationship to the Democratic Republic of Vietnam to move from hostility to normalization, and from normalization to conciliation and cooperation.

Under conditions of peace, he believed, the United States could and would contribute to a "realization of the humane aspirations" of all people throughout Indochina. The final Chapter, IX, contained the implementing and signature provisions of the agreement.³¹

The Protocols

(U) Four protocols supplemented the basic agreement, setting out in greater detail the provisions with respect to prisoners of war, the International Commission of Control and Supervision, the cease-fire and the Joint Military Commissions, and the removal of mines from North Vietnamese waters. The first three protocols were signed by all four parties and went through the same elaborate procedure as the basic agreement,

³¹. "Agreement on Ending the War and Restoring Peace in Vietnam," signed 27 Jan 73; News Conference of Dr. Henry A. Kissinger, 24 Jan 73; Weekly Compilation of Presidential Documents, 29 Jan 73, pp. 45-51, 64-74.

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(U) The matter of the International Commission of Control and Supervision, Dr. Kissinger indicated, was one area where US persistence in the negotiations paid off. The previous December, the North Vietnamese had proposed an international supervisory body with a membership of only 250 personnel, of whom more than half would be in Saigon, with no organized logistics or communication, and completely dependent for authority to move on the party it was investigating. The body provided in the final protocol consisted of more than 1,000 members from Canada, Hungary, Indonesia, and Poland and was authorized to receive from the signatory parties the "necessary means of communication and transport" or to purchase any equipment not thus forthcoming. The ICCS was to be organized as follows: (1) a headquarters in Saigon of 108 personnel; (2) seven regional teams of 20 members each; (3) a number of eight-member teams based in localities throughout South Vietnam, including 26 at places where forces were in contact or where violations of the cease-fire were considered most likely to occur, 12 at possible entry points (including the DMZ), 7 for assignment at other possible entry points to supervise replacement of military equipment in South Vietnam, and 7 to supervise the return of prisoners. The Headquarters was to be operational and in place within 24 hours after the cease-fire, all seven regional teams and three of the prisoner supervisory teams within 48 hours, and the remaining teams within 15 to 20 days. The protocol charged each of the four parties to cooperate and assist the International Commission, and the Joint Military Commissions and the International Commission

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assigned responsibility to determine the "modalities" for implementing this protocol and the Four-Party Joint Military Commission was to ensure action for the exchange of information on missing personnel. When the Four-Party Joint Military Commission ceased to exist at the end of the specified 60-day period, a Four-Party Joint Military team was to carry on the task of resolving the status of military personnel missing in action. Finally, any matter on which the Four-Party Joint Military Commission could not reach agreement was to be referred to the International Commission of Control and Supervision for assistance.³³

(U) The second protocol established the International Commission of Control and Supervision in accordance with Chapter VI of the agreement. The International Commission was to monitor implementation of the agreement by means of communications with the parties and "on-the-spot" observation. In addition, either at its own initiative or at the request of the Joint Military Commissions, the ICCS would investigate violations of the agreement. When serious violations were discovered and no remedy could be found, the International Commission would report the matter to the four parties to the agreement. Significantly, the protocol provided that such reports must be made with the "unanimous agreement" of all four members of the Commission. When unanimity could not be reached, the differing views would be provided to the four parties to the agreement, but not as "reports" of the ICCS.

33. Protocol to the Agreement on Ending the War and Restoring Peace in Vietnam Concerning the Return of Captured Military Personnel and Foreign Civilians and Captured and Detained Vietnamese Civilian Personnel, Weekly Compilation of Presidential Documents, 29 Jan 73, pp. 51-54.

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"demolition objects, minefields, traps, obstacles, and other dangerous objects" within 15 days, and the United States was to inform the Four-Party Joint Military Commission within 15 days of its "general plans for timing of complete troop withdrawals which shall take place in four phases of fifteen days each."

(U) The third protocol also elaborated on the duties of the Four-Party Joint Military Commission. Composed of representatives of the United States and the three Vietnamese parties, that body was responsible, in the 60-day period following the cease-fire, for ensuring joint action by the parties to carry out the agreements, i.e. implementation of the cease-fire, the withdrawal of US and other foreign troops from South Vietnam, the dismantling of US and foreign bases in South Vietnam, the return of captured military personnel and foreign civilians, and the exchange of information on missing military personnel and foreign civilians. To that end, the Four-Party Commission would "coordinate, follow, and inspect" implementation of the pertinent provisions of the agreement. In addition, the commission was responsible for deterring and detecting violations, dealing with violations, and settling conflicts between parties; for dispatching joint teams to any part of South Vietnam to investigate alleged violations of the agreement and assist in preventing recurrence of similar cases; and for engaging in observation "at the places where this is necessary in the exercise of its functions."

(U) The Four Party Commission was organized with a central headquarters and subordinate regional and local bodies in much the same manner as the International Commission for Control and Supervision. There was to be a Central Joint Military Commission located in

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were to maintain "regular and continuous liaison" and to "cooperate with and assist each other."³⁴

(U) The protocol on the cease-fire and Joint Military Commissions required the high commands of "the parties in South Vietnam" to issue prompt orders to all military forces--regular, irregular, and armed police--to end all hostilities throughout South Vietnam at 2400 hours Greenwich Mean Time, 27 January. As soon as the cease-fire came into force, and until the Joint Military Commissions issued regulations, all combat forces were to remain in place. These prohibitions were not to restrict: civilian supply or movement; use of military support elements to assist the civilian population; or normal military proficiency training. In areas where armed forces were in direct contact, the commanders of the opposing forces were to meet as soon as the cease-fire came into force "with a view to reaching an agreement on temporary measures to avert conflict and to ensure supply and medical care for these armed forces." The entry of replacement armaments, munitions, and war supplies into South Vietnam, as permitted in the basic agreement, was to take place under the supervision and control of the Two-Party Joint Military Commission and the ICCS and through entry points designated by the two South Vietnamese parties. All parties were to do their "utmost" to complete removal or deactivation of all

³⁴. Protocol to the Agreement on Ending the War and Restoring Peace in Vietnam Concerning the International Commission of Control and Supervision, 27 Jan 73; News Conference of Dr. Kissinger, 24 Jan 73; Weekly Compilation of Presidential Documents, 29 Jan 73, pp. 54-57, 64-74.

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(U) In the final protocol, the United States agreed to clear all the mines it had placed in "the territorial waters, ports, harbors, and waterways" of North Vietnam. This action was to be accomplished "by rendering the mines harmless through removal, permanent deactivation, or destruction." When considering a draft mine clearance protocol in December,³⁶ Admiral Moorer had suggested deletion of the specific term "removal," but in this instance his advice was not followed. As stated in the protocol, the mine clearance operations were to begin simultaneously with the entry of the cease-fire into effect, and North Vietnam and the United States were to consult immediately "on relevant factors" and agree on the earliest possible completion date. Provisions for the planning and actual operations followed the language of the December draft. Representatives of the two parties would meet and plan implementation; the United States would provide a plan for the operations; and North Vietnam would supply all available maps and hydrographic charts and indicate mined areas. The United States was charged with mine clearance in "inland waterways" of North Vietnam, even though Admiral Moorer had opposed acceptance of such a responsibility. North Vietnam was to participate in this aspect of the clearance "to the full extent of its capabilities," with the United States supplying the means of survey, removal, and destruction and technical advice.

Commissions, 27 Jan 73; (U) News Conference by Dr. Kissinger, 24 Jan 73; Weekly Compilation of Presidential Documents, 29 Jan 73, pp. 58-62, 64-74.

36. For the December consideration of the draft mine clearance protocol and ADM Moorer's comments thereon, see Chapter 12, p. 655-657.

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Saigon with a delegation of 59 persons, headed by a general officer, from each party. There would also be seven Regional Joint Military Commissions of 64 members, equally apportioned among the four parties, and located at the same sites as the ICCS regional teams. Below the Regional Commissions would be 26 joint military teams, colocated with the 26 ICCS local teams. The schedule for activation of the Four-Party Commission paralleled that of the ICCS--the central machinery to go into operation within 24 hours after the cease-fire, the regional commissions within 48 hours, and the teams within 15 days. Dr. Kissinger observed that the provisions for activation of both the Four-Party Commission and the International Commission met the long-held US objective to have effective and timely control machinery to enforce a cease-fire.

(U) The protocol called for appropriate delegations of the two South Vietnamese parties to meet within 24 hours of the cease-fire to reach agreement on organization and operation of a Two-Party Joint Military Commission. Until it became operational, its tasks would be performed by the representatives of the two South Vietnamese parties to the Four-Party Commission at all levels. Should agreement not be reached on the two-party body by the time the Four-Party Commission ceased its operations at the end of the allotted 60 days, then the delegations of the South Vietnamese parties to the latter group were to continue to work temporarily as a provisional two-party group. In application of the principle of unanimity, the Joint Military Commissions would have no chairmen and any representative could request a meeting.³⁵

35. Protocol to the Agreement on Ending the War and Restoring Peace in Vietnam Concerning the Cease-fire in South Vietnam and the Joint Military

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(U) In the conduct of the clearance operations, the United States pledged its personnel to respect the sovereignty of North Vietnam and the terms of the agreement. In return, US personnel would be immune from North Vietnamese jurisdiction for the duration of the operations and North Vietnam would insure the safety of US personnel while in its territory. These provisions resembled closely those that Admiral Moorer had recommended for inclusion in a mine clearance protocol.³⁷

(U) Now, after over seven years of fighting and almost as many years of effort to reach a negotiated settlement, the United States had obtained a peace agreement in Vietnam. How successful it would prove, however, was still far from certain. The agreement was not, as Dr. Kissinger candidly admitted, completely satisfactory, nor did it meet all the concerns of President Thieu. Yet it did provide for a cease-fire in South Vietnam and the return of US prisoners. The first and most immediate test was implementation of the agreement, and the United States turned forthwith to that task.

37. Protocol to the Agreement on Ending the War and Restoring Peace in South Vietnam Concerning the Removal, Permanent Deactivation, or Destruction of Mines in the Territorial Waters, Ports, Harbors, and Waterways of the Democratic Republic of Vietnam, 27 Jan 73, Weekly Compilation of Presidential Documents, 29 Jan 73, pp. 63-64.

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all commanders that these instructions reach all affected subordinate¹ units prior to the time of execution.

(S) The Joint Chiefs of Staff directed the withdrawal of all naval surface forces in the Gulf of Tonkin to waters below 16° 50' north except ships required for Positive Identification Radar Advisory Zone (PIRAZ), search and rescue, and notification line operations. Vessels engaged in those tasks might operate in international waters of the Gulf as required for search and rescue and for implementation of mine-field notification procedures. No naval gunfire was permitted in the cease-fire area against North Vietnamese ships or water craft, except in the case of self-defense. The Joint Chiefs of Staff informed the field commanders that appropriate operating authorities and rules of engagement would be forthcoming. In the interim, ground, air, and naval operations in Laos and Cambodia were not affected, but US forces based in or operating from South Vietnam would not be employed in support of actions in either neighboring country.

(TS) The Joint Chiefs of Staff authorized both overflight and reconnaissance, manned and unmanned, over South Vietnam, but strictly forbade any overflight of North Vietnam or the Demilitarized Zone above the PMDL by military aircraft, including drones and SR-71s. In addition, US naval and air forces would respect the claimed territorial waters and airspace of North Vietnam. The overflight authorities were modified slightly the following day to allow escort and barrier combat air patrol/MIG operations over

1. (S-EX) Msg, JCS 6408 to ZEN/AIG 7076, 240456Z Jan 73, Att to JCS 2472/853-1, 24 Jan 73, JMF 911/305 (24 Jan 73).

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CHAPTER 14

WINDING DOWN THE WAR

(U) The intensive negotiations during the first three weeks of January 1973 to end the Vietnam war were the province of Dr. Kissinger and the President with little, if any, participation by the Joint Chiefs of Staff. But once the settlement was reached, the Joint Chiefs of Staff had a major task of implementing actions to carry out the US military commitments of the peace agreement.

Immediate Implementing Actions

(S) Late in the evening of 23 January, following the President's televised announcement of the agreement, the Joint Chiefs of Staff issued the necessary directive to the field commanders:

Effective 272359Z Jan 73, an internationally supervised ceasefire in SVN and the DMZ will be instituted. At that time, discontinue all acts of force initiated by US forces in NVN and SVN and the DMZ. All airstrikes, artillery fire, and naval bombardment, as well as other fire or munitions expenditure including mines/destructors will be terminated. PSYOP targeted against NVN and SVN and the DMZ are prohibited.

The Joint Chiefs of Staff emphasized to all concerned the significance of this cease-fire/directive:

The importance of compliance at the effective time of execution cannot be overstressed. It is incumbent upon

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armaments, munitions, and war materiel ("major end items") would cease when the cease-fire came into force at 272359Z January 1973. The only exception would be on "a one-for-one" replacement basis. Accordingly, the Joint Chiefs of Staff directed action to redistribute assets available in-theater to bring stockage in South Vietnam, Laos, and Cambodia to currently prescribed levels. Later, on 27 January, just a few hours before the institution of the cease-fire, the Chairman of the Joint Chiefs of Staff reminded the Service Chiefs that equipment inventory located in South Vietnam as of 272359Z January 1973 would be the base level for the RVNAF after the cease-fire. He requested "extraordinary efforts" to return any out-of-country RVNAF-owned equipment to South Vietnam prior to effective time of the cease-fire.³

(TS) Although the cease-fire would end all US air operations in North and South Vietnam, the United States decided to increase its air activity in neighboring Laos, and on 25 January, the Chairman of the Joint Chiefs of Staff relayed the necessary instruction to CINCPAC and CINCSAC. When the cease-fire went into effect in South Vietnam, the Chairman told the two commanders, they should increase B-52 and tactical air sortie levels in Laos "with primary emphasis on the land battle area while maintaining pressure on the established resupply routes such as the Ho Chi Minh Trail." Accordingly, Admiral Moorer directed an

3. (S=EX) Msg, JCS 6408 to ZEN/AIG 7076, 240456Z Jan 73, Att to JCS 2472/853-1, 24 Jan 73, JMF 911/305 (24 Jan 73). The supplemental instructions are contained in: (S) Msg, JCS 7531 to CINCPAC, 250038Z Jan 73; (S) Msg, JCS 1331 to CSA, CNO, CSAF, and CMC, 271643Z Jan 73.

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international waters to protect US aircraft carrying out reconnaissance and intelligence collection over the Gulf of Tonkin. Such flights would avoid both North Vietnamese land areas and territorial seas, with the only exception being immediate pursuit of attacking aircraft.²

(S) Nothing in these instructions, the Joint Chiefs of Staff said, was to be construed so as to prevent any commander from taking necessary action to defend his forces. In any attack of US forces or installations, the "minimum force" necessary for protection was authorized. Normal training to maintain unit readiness was allowed, but "no ordnance other than that normally regarded as self-defensive in nature" would be carried by US planes conducting training missions in the vicinity of North or South Vietnam.

(S) The Joint Chiefs of Staff did not address US troop withdrawal in this initial directive, indicating that the matter would be handled separately. They did state that priorities for withdrawal of personnel and equipment would be assigned, based on a MACV program and cease-fire requirements. Moreover, airlift requirements for personnel would be arranged between the Services and the Military Airlift Command. Finally, the Joint Chiefs of Staff directed the continuation of all logistic operations then in progress and planned through X+60. The next day, however, they revised this latter direction to conform with the Vietnam agreement, stating that the introduction of additional military

2. For the supplemental instruction, see (TS-EX) Msg, JCS 7516 to CINCPAC and CINCSAC, 250020Z Jan 73.

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to preclude overflight or the necessity for protective reaction. "We simply cannot afford any mistakes," he concluded.⁵

(C) Late on 25 January 1973, the Joint Chiefs of Staff issued the directive for the withdrawal of US forces from South Vietnam. They ordered CINCPAC to redeploy all US military personnel from South Vietnam during the period X-Day through X+60. The only US military personnel allowed in South Vietnam thereafter would be the 50 assigned to the Defense Attache Office, Saigon and those US forces required for the Four-Party Joint Military Commission. United States forces were to be removed from South Vietnam in four approximately equal increments in accord with the provisions of the protocol on the joint military commissions.⁶ Although the Joint Chiefs of Staff did not specifically so state, these four increments would correspond with the release of US prisoners, which was also to occur in four stages. The Joint Chiefs of Staff supplied the following numbers for the first two withdrawal increments: 6,000 to 6,500 personnel (including USMC A-4 squadrons) during X-Day to X+15; another 4,000 to 4,500 from X+16 to X+30. The size of the final two increments would be determined later based on the performance of the other side in releasing US prisoners. The Joint Chiefs of Staff also directed redeployment of ROK forces in South Vietnam in accordance with COMUSMACV plans.⁷

(C) During their cease-fire planning in November 1972, the Joint Chiefs of Staff, after securing

5. (TS=EX) Msg, JCS 9125 to CINCPAC (info CINCSAC), 261722Z Jan 73.

6. See Chapter 13, pp. 705-706.

7. (S) Msg, JCS 8465 to CINCPAC (info COMUSMACV), 260029Z Jan 73.

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increase in the air activity levels in Laos to 15 B-52 and 200 tactical air sorties per day. Carrier aircraft overflight of South Vietnam and Laos was allowed with "extreme precautions" to preclude inadvertent penetration of North Vietnamese air space. Shortly before the cease-fire went into effect on 27 January, the Joint Chiefs of Staff raised the permitted level of daily B-52 sorties in Laos to 30 and, on 1 February 1973, nearly four days after the cease-fire entered into force, they raised the level again to 50.⁴

(TS) Following the initial authorization on 25 January for increased air action in Laos, Admiral Moorer dispatched a special caution to CINCPAC and CINCSAC:

During the next sixty days the most important single event will be the return of our prisoners of war. Parenthetically I would also add that possession of our POW's is the only leverage the NVN have. Therefore, it is absolutely mandatory that we conduct our air operations in such a manner that there will be no cause to overfly NVN territory or deliver ordnance against targets in NVN.

In Washington deliberations, Admiral Moorer had resisted imposition of a buffer zone in Laos along the Vietnam border. Consequently, he wanted US pilots to understand the situation and conduct themselves accordingly. "We cannot permit advertent or inadvertent violations of the NVN border which might slow down the return of POWs." Air operations in Laos near the Vietnam border, he instructed, were to be planned so as

4. (TS) Msg, JCS 8315 to CINCPAC and CINCSAC, 251734Z Jan 73. (TS) Msg, JCS 1446 to CINCPAC and CINCSAC, 272058Z Jan 73. (TS-EX) Msg, JCS 6266 to CINCPAC and CINCSAC, 012332Z Feb 73.

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forces might conduct search and rescue operations, inspect crash and grave sites, and recover US aircraft crews in South Vietnam; with the completion of the US withdrawal, South Vietnamese air bases might be used as emergency recovery bases for US military aircraft conducting approved operations in Southeast Asia. During the withdrawal, US forces might provide armed escort for US force movements within South Vietnam and conduct normal training to maintain readiness. In that same period, US naval combatant vessels and logistics craft were permitted to operate in South Vietnamese territorial waters, but thereafter, US combatant vessels would enter South Vietnamese waters only with specific GVN approval. During and after withdrawal, air and surface logistic operations related to replenishment of consumable supplies (petroleum, ammunition, and spare parts) and maintenance support were authorized within the terms of the basic agreement. In addition, the Joint Chiefs of Staff authorized surveillance activities, similar to MARKET TIME, in and over the South Vietnamese territorial waters to furnish early warning to the RVNAF; after the completion of the US withdrawal such operations would require appropriate clearance by the Government of Vietnam. Finally, the Joint Chiefs of Staff specified an RVN Positive Control Area, a five-nautical mile strip in Laos and Cambodia along the South Vietnam border where all air strikes, except for B-52, would be conducted under a forward air controller, and set out detailed authorities for US action in both Laos and Cambodia.⁸

8. (TS=EX) Msg, JCS 9906 to CINCPAC and CINCSAC (info COMUSMACV), 270657Z Jan 73. This JCS directive

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Secretary of Defense approval, had dispatched to the appropriate commanders for planning purposes operating authorities and rules of engagement for Southeast Asia in the event of an end to hostilities there. Now, with the conclusion of the final agreement with North Vietnam, the Joint Chiefs of Staff revised these authorities and rules in accordance with the terms of the actual agreement and dispatched approved versions to CINCPAC on 27 January. These documents spelled out in considerable detail both the allowed and prohibited actions in Southeast Asia, the broad outlines of which had already been provided in the JCS cease-fire directive of 23 January.

(TS) In North Vietnam, the operating authorities prohibited "military operations of all types" except for mine countermeasure operations, search and rescue of US personnel, crash and grave site inspections, immediate pursuit to repel attacks on US forces, and defensive response. In South Vietnam, operations employing tactical air, B-52s, rotary wing gunships artillery, naval bombardment, and other fire expenditures or ordnance expenditures were allowed against hostile forces only in direct support of US forces under attack and only until completion of the US withdrawal. In case of such attack, response appropriate to the magnitude of the attack was authorized, but the Joint Chiefs of Staff reiterated that US forces operating from bases in South Vietnam would not take part in operations in Laos and Cambodia. Confirming the 23 January directive, overflight and both manned and unmanned reconnaissance of South Vietnam were permitted, as were immediate pursuit of attacking forces into South Vietnamese territorial seas and air space and defensive response to protect US forces, when all other alternatives had failed. United States

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(TS) During the North Vietnamese offensive into South Vietnam in April 1972, the Joint Chiefs of Staff had secured Secretary of Defense approval for authority to deploy various US air and naval augmentation forces in Southeast Asia, and these authorities were extended on a month-to-month basis thereafter. Each extension required a specific JCS request and a Secretary of Defense approval. The current augmentation authorities were scheduled to expire on 31 January 1973, and Admiral Moorer approached the Secretary of Defense on this matter on 27 January 1973. He realized that the rationale previously used to support the continued augmentation no longer applied with the conclusion of the cease-fire agreement. Nevertheless, Admiral Moorer requested extension of those authorities through 28 February 1973, pending final resolution of withdrawal and redeployment plans. Mr. Elliot Richardson, who became Secretary of Defense on 30 January approved the extension that same day, adding that he wished to review the JCS plan for incremental phase-down of US forces in Southeast Asia not later than X+15, 12 February 1973.¹⁰

(TS) Officials in Washington were keenly interested in the implementation of the Vietnam agreement and any

File 091 SEA, Jan-Apr 73. Again, this directive superseded efforts initiated earlier in January to revise existing rules of engagement. See (TS) CM-2452-73 to SecDef, 25 Jan 73, CJCS File 091 SEA, Jan-Apr 73.

10. (TS-EX) CM-2462-73 to SecDef, 27 Jan 73; (TS-EX) Memo, SecDef to CJCS, "Temporary Augmentation Authorities (U)," 30 Jan 73; (TS-EX) Msg, JCS 4010 to CINCPAC, CINCSAC, CINCLANT, and USCINCRD, 310025Z Jan 73; CJCS File 091 SEA, Jan-Apr 73.

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(C) In the rules of engagement for Southeast Asia also dispatched on 27 January 1973, to be effective 272359Z January 1973, the Joint Chiefs of Staff carefully defined the terms Southeast Asia, territorial seas, internal waters, territorial airspace, friendly and hostile forces, hostile aircraft and vessels, attacks, and immediate pursuit. They then proceeded to authorize US forces operating in Southeast Asia to attack and destroy any hostile aircraft or vessel and hostile ground forces attacking US personnel in South Vietnam or US and friendly forces, facilities, materiel, or population centers in Laos or Cambodia. They also authorized immediate pursuit should US forces be attacked in South Vietnam, Laos, Thailand, Cambodia, North Vietnam, or Southeast Asian international waters or airspace. United States forces conducting such pursuit into unfriendly territory were not allowed to attack other unfriendly forces or installations encountered unless attacked first by those forces, and then only to the extent necessary for self-defense. No immediate pursuit was permitted into the People's Republic of China. The Joint Chiefs of Staff concluded the rules of engagement with the usual caveat that nothing therein modified "the requirement of a military commander to defend his unit against armed attack with all means at his disposal."⁹

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superseded plans that were begun, shortly before the final agreement, to amend the existing operating authorities. See (TS-EX) CM-2442-73 to SecDef, 21 Jan 73 and CM-2443-73 to SecDef, 22 Jan 73, both in CJCS File 091 SEA, Jan-Apr 73).

9. (TS) Msg, JCS 9912 to CINCPAC and CINCSAC, 270703Z Jan 73. Draft of this msg had handwritten notation of SecDef approval, dated 26 Jan 73, see CJCS

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serious nature." All attacks on US or Free World forces were considered serious violations, and this category also included armed conflict that endangered local government agencies in South Vietnam and that, if continued, would endanger the central government and any other "gross violation" by North Vietnamese land, sea, or air forces.¹²

(C) The President, too, wanted to be kept informed and requested a daily report on the implementation of the Vietnam agreement, including the topics of prisoner return, US and ROK force withdrawals, cease-fire violations, mine clearance operations, and assistance to South Vietnam. Dr. Kissinger relayed this request to the Secretaries of State and Defense and the Director of Central Intelligence on 28 January 1973, and Admiral Moorer tasked CINCPAC to provide information for military aspects of this report. Within the Organization of the Joint Chiefs of Staff, the National Military Command Center was charged with compilation of a daily JCS post-cess-fire report.¹³

(C) In an attempt to enhance North Vietnamese acceptance of a cease-fire, a high-level interagency committee, the PSYOP Pressure Operations Group, had requested the US Ambassador in Saigon and CINCPAC in late 1972 to plan an intensive leaflet and mini-radio

12. (S) Msg, JCS 7526 to CINCPAC (info COMUSMACV), 250029Z Jan 73.

13. (TS) Memo, Dr. Kissinger to Secys State and Def and DCI, "Post Ceasefire Reporting," 28 Jan 73; (U) OPS 59-73, Memo, DepDir for Ops (NMCC), "JCS Post Cease-fire Daily Report," 1 Feb 73; J-5 Action Officer Files. (S) Msg, JCS 3963 to CINCPAC (info COMUSMACV), 302333Z Jan 73.

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violation of the cease-fire. On 23 January 1973, Admiral Moorer addressed a memorandum to the Secretary of Defense discussing the possibility of enemy violations and the range of US responses available. On the basis of limited experience of holiday cease-fires in previous years, Admiral Moorer anticipated deliberate infractions of the cease-fire. Such occurrences, he observed, could range from minor harassment activities to a massive invasion of South Vietnam by North Vietnamese forces. The precise character of the US response could not be fully determined without knowledge of the actual situation, but Admiral Moorer believed that sufficient US forces would be available in Southeast Asia to allow a wide range of reaction should North Vietnam abrogate the agreement. These forces would have the capability to lay mines, give close air support, interdict lines of communication, furnish naval gunfire support, bomb, resupply indigenous forces, and conduct psychological warfare. "A central point," the Admiral continued, was that the US "threshold of response" would change drastically when the US withdrawal was complete. Prior to that date, US reaction to violations threatening the safety of US forces would have to be timely and deliberate; thereafter the "threshold of provocation" would undoubtedly rise considerably. How high, he said, would depend on the economic, political, and military stability of South Vietnam.¹¹

(C) On 24 January, following announcement of the agreement, the Joint Chiefs of Staff directed CINCPAC to report immediately cease-fire violations of "a

11. (TS=EX) Memo, CJCS to SecDef, "SEAsia Cease-fire Violations," 23 Jan 73, CJCS File 091 SEA, Jan-Apr 73.

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communist forces also pressed efforts against populated areas, interdicting lines of communication and occupying or infiltrating government-controlled hamlets. The level of activity dropped during February, but never, throughout the 60-day period of the US withdrawal, did the fighting in South Vietnam cease completely.¹⁶

(U) Despite the lack of a true cease-fire in South Vietnam, the United States began the withdrawal of its remaining forces from South Vietnam on 28 January 1973, X-Day as it was designated in the military planning and operations. General Weyand had prepared tentative plans in accordance with the JCS guidance supplied the previous November,¹⁷ and with the agreement on a final settlement, he carried out those plans in accordance with the JCS troop withdrawal directive of 25 January. On 28 January 1973, 23,335 US military personnel, 35,396 ROK forces, and 113 others from Thailand, the Philippines, and the Republic of China awaited removal from South Vietnam, and as specified by the Joint Chiefs of Staff, 6,000 to 6,500 US men were to leave in increment one, the period X-Day to X+15 (28 January=11 February). The actual redeployment, Operation COUNT DOWN,¹⁸ got under way slowly, but by the end of 11 February, 6,145 US troops had departed South Vietnam, leaving a total of 17,190 still to be moved. During this same period, 8,929 ROK forces redeployed.¹⁹

16. For a description of the military activities in South Vietnam during the period 28 January=29 March 1973, see (TS=NOFORN=EX) COMUSMACV Command History, Jan 72=Mar 73, (U) pp. 141=149.

17. See Chapter 12, pp. 644=649.

18. In initial planning the operation was nicknamed THUNDER BOLT. For the change in name see (C) Msg, JCS 6913 to CINCPAC, 241522Z Jan 73.

19. (TS=NOFORN=EX) COMUSMACV Command History, Jan 72=Mar 73, (U) pp. H=2 = H=3. (TS) NMCC OPSUM 35=73, 13 Feb 73.

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campaign throughout South Vietnam, Laos, and Cambodia in the brief interim between the initialing and effective date of an agreement. The thrust of the effort was to emphasize the cease-fire theme and to pressure North Vietnamese forces to return home. The plan was readied with a supply of leaflets prestocked in Thailand and over 30,000 radios disseminated in anticipation of implementation of the operation, nicknamed TEMPO SURGE. On 24 January, the PSYOP Pressure Operations Group directed execution. Between that time and termination of TEMPO SURGE at 270133Z January 1973, US C-130s in 13 sorties delivered 160 million leaflets and two B-52 sorties dropped an additional seven million leaflets into South Vietnam, Laos, and Cambodia.¹⁴

The US Withdrawal Begins

(U) At 272400Z (0800 Saigon time) January 1973, the Agreement on Ending the War and Restoring the Peace in Vietnam with its attendant cease-fire in South Vietnam entered into force. That event, however, did not end the fighting. As described in the previous chapter,¹⁵ both sides launched concerted efforts in the days preceding the announcement and signature of the agreement to increase the territory and population under their control, and this intensified combat continued in the period immediately following the cease-fire. In MR 1, major activity centered in Quang Tri and Quang Ngai Provinces where NVA and PRG forces attempted to expand their control into population centers by seizing hamlets and isolating defending troops. In the other three military regions, the

14. (S) DJSM-83-73 to CJCS, 12 Jan 73, CJCS File 091 Vietnam, Jan 73. (TS-NOFORN) CINCPAC Command History, 1973, pp. 171-172.

15. See pp. 689-690.

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Hanoi on 12 February. On the same day, the PRG released 19 military and 8 civilian prisoners at Loc Ninh in South Vietnam, and the freed men were flown to Clark Air Base in the Philippines for medical examination and reporting before returning to the United States. The prisoner return operation received the name HOME-COMING.²²

Organizational Changes

(U) Upon implementation of the cease-fire in South Vietnam, the various organizational changes planned by the Joint Chiefs of Staff for that eventuality began to come into effect. The previous November, the Joint Chiefs of Staff had recommended and the Secretary of Defense had approved, the establishment of a Defense Attache Office (DAO), Saigon, composed of a Defense Attache Element and a Defense Resource Support and Termination Office (DRSTO). Limited to 50 US military personnel, augmented by a large number of Department of Defense civilian and contract personnel, this organization would carry out US residual military functions in South Vietnam after the cease-fire and US withdrawal and would be the sole US military presence in the country.²³

(C) Shortly before the final agreement was completed on 15 January 1973, the Joint Chiefs of Staff supplied

22. (S-NOFORN) NMCC OPSUMs 22-73, 29 Jan 73; 35-73, 13 Feb 73. (TS-NOFORN) CINCPAC Command History, 1973, (U) p. 600. The name originally was EGRESS RECAP, but it was changed by the Secretary of Defense to HOMECOMING on 8 January 1973. See (U) Memo, SecDef to Secys of MilDepts, CJCS, et al., 8 Jan 73, CJCS File 091 Vietnam, Jan 73.

23. See Chapter 12, pp. 638-639, 642, 647.

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(U) The US withdrawal was tied directly to the return of US prisoners. This was in accord with the Vietnam agreement and the accompanying protocol on prisoners,²⁰ which provided for the return to proceed and be completed simultaneously with the US withdrawal. It was also decided in an oral agreement at the Paris conference that North Vietnam and the PRG would release the US prisoners in 15-day increments paralleling the US redeployments. Further negotiations and actual exchange arrangements for the return were conducted in the Four-Party Joint Military Commission in Saigon, and COMUSMACV set up a Prisoner of War Liaison Division as part of the US Delegation to the Four-Party Joint Military Commission to insure implementation of the protocol concerning the return of captured personnel. In Washington, planning and arrangements for the return of the US prisoners was handled by a special Department of Defense Task Force for Prisoners-of-War/Missing-in-Action located in the Office of the Assistant Secretary of Defense (International Security Affairs). This Task Force dealt directly with the Services and CINCPAC, and the Joint Chiefs of Staff were not involved in these activities.²¹

(S) North Vietnam and the PRG presented US officials in Paris on 27 January with lists of names of personnel that they had captured. The combined lists totaled 717 men, including 555 US military, 22 US civilians, and 140 others comprised of foreign nationals, previously released prisoners, and deceased. With the completion of the first increment of the US withdrawal from South Vietnam, the North Vietnamese released the first group of 116 US military prisoners at Gia Lam Airfield in

20. See Chapter 13, pp. 702-703.

21. (TS=NOFORN) CINCPAC Command History, 1973,
(U) p. 600.

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(TS) After the final agreement was completed, the Joint Chiefs of Staff informed CINCPAC on 25 January 1973 of the following US personnel ceilings in South Vietnam: for the Defense Attache Office, 50 US military and 1,200 DOD civilians. In addition, 5,500 contractor personnel were authorized and there was no limit on the number of third-country nationals employed. The Joint Chiefs of Staff specified, however, that all DOD civilians must depart South Vietnam within one year of the cease-fire date. Subsequently, CINCPAC requested authority to recruit and fill the DAO ceilings and the Joint Chiefs of Staff approved on 27 January. On the next day, the Defense Attache Office, Saigon, was activated under the operational command of COMUSMACV with an initial staff of 190 permanent DOD employees and 46 temporary duty personnel. On 2 February 1973, the Secretary of Defense confirmed the DAO personnel ceilings issued by the Joint Chiefs of Staff on 27 January. Exempted from the 50 US military limit in South Vietnam were US members of the Four-Party Joint Military Commission and DOD personnel sponsored by the Department of State.²⁵

(U) In the cease-fire preparations in November 1972, the Joint Chiefs of Staff had provided for a joint headquarters, the US Support Activities Group/7th Air Force (USSAG/7AF), located in Nakhon Phanom, Thailand to plan and be ready to conduct combat air operations in Southeast Asia as required. The Secretary of

25. (TS-EX) Msg, JCS 8209 to CINCPAC, 251719Z Jan 73. (S) Msg, JCS 1341 to CINCPAC, 271659Z Jan 73. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, pp. G-9 - G-11. (TS) Memo, SecDef to CJCS, "Personnel Ceiling for Defense Attache Office, Saigon (U)," 2 Feb 73, Att to JCS 2339/360-19, 9 Feb 73, JMF 907/305 (27 Oct 72) sec 3.

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the Secretary of Defense interim terms of reference and detailed organizational information for the DAO. In late December 1972, the Secretary had requested that the US residual defense organization in South Vietnam include a capability to support various on-going US economic support programs in South Vietnam, and the Joint Chiefs of Staff included that function in the interim terms of reference. Command relations, as outlined in the terms of reference, provided for a Defense Attache to head the Office, who would also be Chief, DRSTO, and serve as the senior US military representative to the US Diplomatic Mission in Saigon. For intelligence matters, the Defense Attache would be responsible to the Director, Defense Intelligence Agency; as Chief, DRSTO, he would be under the command of COMUSMACV until the disestablishment of MACV, then under the Commander, US Support Activities Group/7th Air Force, and ultimately under CINCPAC when USSAG/7AF was eliminated. For all security assistance planning and coordination, the Defense Attache/Chief, DRSTO, would report directly to CINCPAC. The Joint Chiefs of Staff advised the Secretary that any further changes required in the terms of reference to accord with "any future cease-fire agreement" would be supplied within 15 days (X+15) of the date the agreement went into force. On the same day, the Joint Chiefs of Staff forwarded these interim terms of reference to CINCPAC, stating that they were approved, pending changes required by the final agreement. They authorized CINCPAC to hire 234 US civilians for the organization.²⁴

24. (TS) JCSM-25-73 to SecDef, 15 Jan 73, Encl A to JCS 2339/360-17, 10 Jan 73; (C) Msg, JCS 5977 to CINCPAC, 15 Jan 73; JMF 907/305 (27 Oct 72) sec 3.

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located at Udorn, Thailand. This element provided "operational interface" between the 7th and 13th Air Forces and was the organization through which the 13AF exercised its command, administrative, and logistical support functions in Thailand. Earlier, on 13 January 1973, the Secretary of Defense had inquired about the role of the Deputy Commander 7/13AF and his staff when the cease-fire was implemented. Admiral Moorer replied on 31 January that this organization at Udorn was the means by which the 13AF would conduct training to maintain combat readiness in the cease-fire situation. Once the 7AF Headquarters moved to Thailand, however, the responsibilities of the Deputy Commander 7/13AF would be reduced. But, because of the uncertainties surrounding the cease-fire, Admiral Moorer recommended retention of this headquarters until the US withdrawal was completed. Further consideration would then be given its disposition.²⁸

(C) With the establishment of the USSAG/7AF at Nakhon, the Deputy Commander 7/13AF ceased to perform the combat operations control function on behalf of the Commander 7AF. He did, however, continue to carry out command and support functions for the Commander 13AF. Accordingly, CINCPACAF redesignated the organization at Udorn the 13AF ADVON, responsible for such functions as command, administration, logistics, facilities management, training, and operational control of noncombat sorties. In the process the strength of the headquarters was reduced from 97 to 63 personnel. Subsequently,

28. (TS) Memo, SecDef to CJCS, 13 Jan 73, Att to JCS 2339/360-18, 16 Jan 73; (TS) CM-2473-73 to SecDef, 31 Jan 73, Att to 1st N/H of JCS 2339/360-13, 2 Feb 73; JMF 907/305 (27 Oct 72) sec 3.

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Defense sanctioned this organization, approving deployment of an advance element prior to X<Day and establishment of the entire organization before X+60.²⁶

(C) Deployment of the advanced element of the USSAG/7AF was delayed because of difficulties in securing diplomatic clearance, and it was not until 24 January 1973 that the Joint Chiefs of Staff directed CINCPAC to move a leading element of 20 officers to Nakhon Phanom after coordination with the US Embassy in Bangkok. Accordingly, this advance element moved to Thailand on 29 January and the Headquarters, USSAG/7AF was activated on 10 February 1973 under the command of General John W. Vogt, USAF, and staffed largely with former MACV personnel. The headquarters became operational five days later when it took over control of air assets from MACV, and the phased movement of aircraft from Vietnam was completed on 18 February 1973. Remaining headquarters and support unit personnel arrived from Vietnam during the next several weeks as their duties there ended. On 23 February 1973, CINCPAC recommended dropping the 7th Air Force portion of the title of the new organization, designating it simply the US Support Activities Group, but the Joint Chiefs of Staff did not approve the recommendation.²⁷

(C) The JCS planning for postwar command control arrangements in Southeast Asia made no provision for the role of the Deputy Commander 7/13AF and his staff,

²⁶. See Chapter 12, pp. 641, 645.

²⁷. (TS) Msg, JCS 7270 to CINCPAC (info COMUSMACV), 242032Z Jan 73. (TS<NOFORN<EX) COMUSMACV Command History, Jan 72<Mar 73, pp. G<4 < G<5, H<2. (C) Msg, CINCPAC to JCS, 230244Z Feb 73, JCS IN 17865; (C) Msg, JCS 9859 to CINCPAC, 6 Mar 73 (derived from JCS 2339/360<23); JMF 907/305 (27 Oct 72) sec 3.

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(S) The Four-Party Joint Military Commission consisted of a Central Commission in Saigon, seven Regional Joint Military Commissions located near key province capitals, and 26 joint Military Teams. The Central Commission established three subcommissions to assist in carrying out its responsibilities: one on Captured Military Personnel to arrange the release of US and Vietnamese prisoners of war and captured foreign nationals; another on Operational Procedures to deal with matters of transportation, facilities, privileges and immunities, press relations, and fiscal arrangements; and a Subcommission on Military Affairs to implement the cease-fire. Each delegation to the Four-Party Commission was allowed 825 personnel, comprising 275 delegates and 550 support personnel. The United States sent representatives to all levels of the Four-Party Commission organization and was anxious for the other parties to do likewise. To facilitate the Commission's functioning, the United States offered on 27 January 1973 to provide air transportation to bring North Vietnamese and PRG delegation members from Hanoi to Saigon. This offer was accepted and the airlift began on 29 January. By 8 February, the United States had transported 802 North Vietnamese and 49 PRG personnel from Hanoi to Saigon.³²

(S) The US, South Vietnamese, and North Vietnamese delegations to the Four-Party Joint Military Commission were at full strength by 8 February 1973, but the PRG had supplied only 152 members. To assist deployment

32. (S) Msgs, JCS 9924 and 1555 to US Del Paris, 270713Z Jan 73 and 280113Z Jan 73. (S-EX) Final Rpt of US Del, Four-Party Joint Military Commission, n.d., Att to JCS 2472/873, 20 Jun 73, JMF 911/533 (20 Jun 73).

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in April 1973, CINCPAC issued terms of reference for the USSAG/7AF. The Commander exercised operational control of Thailand-based USAF assets, except for SAC units and C-130 aircraft controlled by the PACOM Transportation Management Agency, when committed to him by CINCPAC for combat air operations; the Commander 13AF, at Clark Air Base in the Philippines, commanded the assigned USAF units when the aircraft were not committed to the USSAG/7AF.²⁹

(C) When the Vietnam agreement was reached, the United States had plans ready for its organization to support the Four-Party Joint Military Commission (FPJMC).³⁰ On 27 January 1973, the Joint Chiefs of Staff directed CINCPAC to establish the US Delegation to the Four-Party Commission to function in accordance with the agreement and the pertinent protocols. United States control of this body would be exercised in the military chain of command through COMUSMACV, and all instructions to the US Delegation would be coordinated with the US Ambassador in Saigon. Reporting channels for the US Delegation would be to COMUSMACV for further transmission to CINCPAC and the Joint Chiefs of Staff. Accounts of minor cease-fire violations would be included in the daily COMUSMACV reports and serious violations would be reported immediately to the Joint Chiefs of Staff.³¹

29. (S) Memo, DepUSecAF to ASD(ISA), 27 Mar 73, Encl to Att to 2d N/H of JCS 2339/360-18, 28 Mar 73, JMF 907/305 (27 Oct 72) sec 2. (C) Memo, Hilbert (OASD/ISA) to ASD(ISA), "13AF ADVON, Udorn, Thailand," 24 Apr 73, J-5 Action Officer Files. (S) Msg, CINCPACAF to CINCPAC, 240400Z Mar 73, JCS IN 48460. (TS=NOFORN) CINCPAC Command History, 1973, p. 49.

30. See Chapter 12, pp. 657-661.

31. (S) Msgs, JCS 1325 and 1505 to CINCPAC (info COMUSMACV), 271632Z and 272325Z Jan 73.

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In dealings with the PRG members, the Joint Chiefs of Staff cautioned that the United States did not "in any way" regard the Provisional Revolutionary Government as "a governmental entity" and acts should be avoided that might suggest formal US relations with the PRG. All US military forces were reminded that the United States recognized "the GVN as the sole legitimate government of South Vietnam and contacts with official representatives of the PRG/NFL should be avoided." In case of doubt, US military personnel in South Vietnam would seek instructions, through proper channels, from the US Ambassador or appropriate members of his staff, and all meetings with representatives of North Vietnam or the PRG were to be reported to the US Embassy in Saigon.³⁴

(C) The JCS guidance with respect to the PRG was subsequently confirmed by the Department of State. In a circular to all US diplomatic and consular posts on 2 March 1973, the Secretary of State noted that recent events, including the signing of the Vietnam agreement by the "so-called Provisional Revolutionary Government" as well as its participation in the International Conference on Vietnam, had led some third countries "to look with more responsiveness upon the PRG's claims of enhanced legitimacy." But these events, the Secretary said, did nothing to strengthen PRG claims to represent the people of South Vietnam. He continued:

Our policy, stated by the President on January 23, is to "continue to recognize the Government of the Republic of Vietnam as the sole legitimate government of South

34. (S) Msg, JCS 1508 to CINCPAC, CSA, CNO, CSAF, and CMC (info COMUSMACV), 272329Z Jan 73.

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of the remaining PRG contingent, the Central Commission set up an Ad Hoc Committee on PRG Movement, but that body was of little use. Under the pretexts of inadequate facilities, poor security, and lack of freedom of movement, the PRG delayed sending additional personnel, and when those excuses were removed, the PRG still did not provide its full complement. During the 60-day period following the cease-fire, the PRG sent representatives to only four regions and to no team sites, and the maximum number of PRG members to join the Four-Party Commission was 314. The North Vietnamese initially provided members for all seven Regional Commissions and five team sites. But then, alleging a lack of security, they withdrew from two Regional Commissions and refused to participate in "meaningful" activities in the other five regions. At the time of disestablishment of the Four-Party Joint Military Commission, there were no North Vietnamese at the team sites.³³

(C) With the establishment of the Four-Party Joint Military Commission, US military personnel had to deal with both North Vietnamese and PRG personnel, and the Joint Chiefs of Staff issued guidance for such encounters on 27 January 1973. All US military personnel were instructed that contacts

must be limited to those required for the transaction of necessary business and to those which cannot be avoided without breach of courtesy. When such contacts do occur all personnel should conduct themselves in a reserved but correct and courteous manner.

33. (S-EX) Final Rpt, US Del, Four-Party Joint Military Commission, n.d., Att to JCS 2472/873, 20 Jun 73, JMF 911/533 (20 Jun 73).

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X+60, though they could not legally engage in coastal traffic between South Vietnamese ports.³⁶

(C) The peace agreement provided that "armaments," "munitions," and "war material" in Vietnam could be replaced only "on the basis of piece-for-piece" and, during the withdrawal period, COMUSMACV became concerned about the possibility of conflicting interpretations of these terms. He developed definitions of the three terms as well as specific lists of items for each category, recommending that any other interpretations of these matters be referred to his headquarters prior to issuance. CINCPAC supported this recommendation, and the Joint Chiefs of Staff approved it on 14 March 1973.³⁷

(C) Even the most trivial administrative matters relating to Vietnam during the withdrawal period required the attention of Washington officials. For, on 17 February 1973, the Assistant Secretary of Defense (Installations and Logistics) approved a JCS recommendation that a military post office (APO/FPO) be continued in South Vietnam with the Department of the Navy administering it on behalf of the Department of Defense.³⁸

36. (C) Msg, CINCPAC to JCS 310549Z Jan 73, JCS IN 63304; (C) Msg, JCS 8896 to CINCPAC, 6 Feb 73 (derived from JCS 2472/855); JMF 911/448 (31 Jan 73). (C) JCS 2472/854, 3 Feb 73; (S) Msg, JCS 9559 to CINCPAC and MSC, 6 Feb 73; JMF 911/448 (2 Feb 73). (U) Msg, CINCPAC to JCS, 170230Z Feb 73, JCS IN 31879; (U) Msg, JCS 6571 to CINCPAC, 23 Mar 73 (derived from JCS 2472/863); JMF 911/448 (17 Feb 73).

37. (S) Msg, COMUSMACV to CINCPAC, 120813Z Feb 73, JCS IN 85448; (S) Msg, CINCPAC to JCS, 142243Z Feb 73, JCS IN 91472; (S) Msg, JCS 5379 to CINCPAC, CSA, CNO, CSAF, and CMC, 14 Mar 73 (derived from JCS 2472/858); JMF 911/495 (12 Feb 73).

38. (S) JCSM-56-73 to SecDef, 12 Feb 73, Encl A to JCS 2472/850, 19 Jan 73; JMF 911/066 (4 Dec 72). Memo,

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Vietnam." Its claims notwithstanding, the PRG does not have a capital, controls . . . but a small percentage of the South Vietnamese population and has none of the outward manifestations commonly associated with any legitimate government.³⁵

Problems Requiring Guidance

(U) After the cease-fire came into force, various questions arose that had not been anticipated in the before-the-fact planning and, in response to requests from CINCPAC, the Joint Chiefs of Staff issued rulings on various interpretations of the cease-fire. They decided that Delong piers were not war materiel and need not be withdrawn at all since they would be useful in loading other materiel aboard ship for withdrawal. With respect to cargoes en route to Vietnam by sea when the cease-fire became effective, the Joint Chiefs of Staff said that such cargoes could proceed to South Vietnam and be unloaded. The only exception was ammunition, which under the terms of the agreement could be brought in only as replacement; hence COMUSMACV must guarantee that ammunition entering did not exceed the level on hand on 27 January. In addition, the Joint Chiefs of Staff cautioned that introduction of all such cargoes must be coordinated closely with the FPJMC in order to avoid allegations of cease-fire violations. Some days later, the Joint Chiefs of Staff amplified this guidance directing that en route ships might continue to unload cargoes in Vietnam even after

35. (S) Msg, State 51556 to All Dipl. and Consular Posts, 21 Mar 73, JCS IN 73178.

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capability" should it be needed. "Higher authority" had also indicated "they" would consider proposals to reduce the US carrier posture in Southeast Asia. Accordingly, the Chairman requested the Joint Staff to prepare a withdrawal program including the following: (1) a plan to drawdown to three CVAs in the 7th Fleet as soon as possible as well as a CVA posture for Southeast Asia for the periods X-Day to X+60 and post X+60; (2) a plan to reduce US air assets in Thailand and Guam to an ultimate force of nine tactical fighter squadrons, 42 B-52s, 36 KC-135s, one tactical reconnaissance squadron, and one gunship squadron.⁴⁰

(C) On 27 January 1973, the Joint Chiefs of Staff had sought the views of both CINCPAC and CINCSAC on necessary revisions of the November 1972 illustrative concept. After reviewing these comments, the Joint Chiefs of Staff informed the two commanders on 5 February that "higher authority" had approved the withdrawal of certain forces from Southeast Asia. They directed CINCPAC:

Cancel scheduled deployment of CORAL SEA. Outchop MIDWAY on 23 February 1973 without relief. Outchop AMERICA on 5 March 1973 without relief. Instructions concerning any further withdrawal of naval forces in SEA will be provided at a later date.

Redeploy proportionate numbers of escort and support units with each CVA keeping in mind the requirements for END SWEEP [mine clearance operations].

40. (S) CM-2464-73 to DJS, 29 Jan 73, JMF 911/374 (5 Feb 73).

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Withdrawal of US Air and Naval Forces

(C) With the cessation of all US military action in Vietnam, the United States began a reduction of air and naval assets located elsewhere in Southeast Asia. In earlier planning, the Joint Chiefs of Staff had prepared in November and the Secretary of Defense had approved an illustrative concept for redeployment of US air and naval forces in Southeast Asia outside of Vietnam following a cease-fire. This planning concept had provided for: a reduction of US tactical air forces in Thailand to nine tactical fighter squadrons, one tactical reconnaissance squadron, one gunship squadron, and appropriate support elements, a force able to supply 4,700 combat sorties per month; redeployment of B-52s from U Tapao down to a level of 35 to 42 aircraft capable of providing 1,000 sorties per month; and incremental phase-down of US 7th Fleet assets off Vietnam to a force able to fly 2,200 sorties per month with one CVA on station off Vietnam and two more positioned to arrive within a week. Actual timing of the specific withdrawals was to be determined after the cease-fire had been accomplished.³⁹

(C) On 29 January 1973, Admiral Moorer informed the Director of the Joint Staff that, in discussions with "higher authority," broad guidelines had been reached on the reduction of US air assets in Southeast Asia. The United States would retain for "the time being" its land-based air assets, both Air Force and Marine, to provide a strong deterrent "as well as significant

Actg ASD(I&L) to DJS, 17 Feb 73, Att to JCS 2472/850-1, 21 Feb 73; Memo, Actg ASD(I&L) to SecNav, 17 Feb 73, Encl to Att to JCS 2472/850-1, 21 Feb 73; Msg, JCS 9495 to CINCPAC, 17 Feb 73; same file.

39. See Chapter 12, pp. 641-642, 644-646.

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escort and supply ships would also be redeployed. The remaining Western Pacific naval force could provide 2,200 tactical air sorties per month while maintaining a posture of one CVA on-station off Vietnam, one positioned to arrive off Vietnam within 96 hours, and one to arrive within one week. Amphibious ships above those required for two amphibious ready groups (ARGs) would be withdrawn when contingencies permitted, and the two amphibious ready groups would be available on conditions of readiness appropriate to existing circumstances.

(C) The JCS plan for withdrawal of land-based air assets provided for redeployment in three increments. Tactical air assets in Thailand would be reduced in accordance with the November 1972 illustrative concept to nine fighter squadrons, one reconnaissance squadron, and one gunship squadron--the residual force to provide 4,700 combat sorties per month. The plan also provided for a reduction of B-52s at U Tapao from 52 to 42 and in Guam from 155 to 10; KC-135s would be reduced in Thailand from 53 to 29, in Guam from six to zero, and at Kadena from 59 to 27. The remaining force in Thailand--42 B-52s and 29 KC-135s--could accomplish 1,000 B-52 sorties per month and provide tanker support for tactical air sorties. The Joint Chiefs of Staff did not include the actual scheduling of the land-based aircraft other than the 20 KC-135s already ordered redeployed on 5 February. Timing of the rest of the withdrawals, they said, depended on political rather than military considerations.

(C) The Joint Chiefs of Staff requested the Secretary of Defense to approve both plans as well as the immediate redeployment of the US Marine Corps A-6 squadron

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These redeployments would reduce the 7th Fleet carriers from six to four. In addition, CINCSAC was to redeploy 20 KC-135 aircraft with associated crews, support personnel, and equipment from Takhli to CONUS. Six hours after the issuance of this directive, the Joint Chiefs of Staff authorized CINCPAC to reduce the 7th Fleet on-line force to 3 CVAs with a fourth carrier available within 48 hours.⁴¹

(C) The Secretary of Defense had requested a JCS plan for the incremental reduction of US forces in Southeast Asia not later than 12 February 1973, and the Joint Chiefs of Staff forwarded a plan for the withdrawal of US naval forces and one for removal of land-based air forces on 8 February. These plans followed closely the November 1972 illustrative concept and the Joint Chiefs of Staff told the Secretary that these plans insured an adequate force structure to protect remaining US troops in Southeast Asia as well as to react to contingencies. Moreover, the plans afforded necessary flexibility in the event of North Vietnamese cease-fire violations, problems in the return of US prisoners of war, or other undetermined factors.

(C) The plan for the withdrawal of US naval forces included the redeployment of the USS MIDWAY on 23 February and the USS AMERICA on 5 March as already ordered. Redeployment of a third attack carrier was planned in mid-March although the specific date had not been determined and a proportionate number of

41. (TS) Msg, JCS 1406 to CINCPAC and CINCSAC, 271905Z Jan 73. (TS) Msg, CINCSAC to JCS, 302110Z Jan 73, JCS IN 66676. (TS) Msg, CINCPAC to JCS, 312334Z Jan 73, JCS IN 65086. (TS) Msg, JCS 8374 to CINCPAC and CINCSAC, 051456Z Feb 73. (TS) Msg, JCS 8688 to CINCPAC, 052139Z Feb 73. (TS=NOFORN) CINCPAC Command History, 1973, p. 226.

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CINCPAC to adopt the following carrier posture off Southeast Asia: one carrier on-station on ready alert to provide rapid response for air operations as requested by the Commander, US Support Activities Group (COMUSSAG); a second carrier on-station to provide "logistic support" for mine clearance operations while at the same time remaining on four to six hour notice to supply additional contingency response; and at least one of the two carriers not on-station maintained on a 48-hour reaction time to respond to contingency requirements in Southeast Asia. Two days later, on 7 March, CINCPAC informed the Joint Chiefs of Staff that, based on the present tempo of activity in the Gulf of Tonkin, he believed one carrier on-station there could supply both ready alert contingency sortie requirements and logistic support for mine clearance forces. Accordingly, he requested authority to plan to reduce the 7th Fleet carrier level in mid-March from four to three in the following posture: one carrier on-station in the Gulf of Tonkin for possible contingencies and for mine clearance support; the second on 96-hour reaction to respond to contingencies in Southeast Asia; and the third in "upkeep status." Admiral Moorer replied to CINCPAC the next day. Although he understood the rationale for the proposed carrier reduction, he believed that the "potentially volatile" situation required maintenance of the existing carrier levels and posture. It was not until 25 May 1973, well after the completion of the US withdrawal from South Vietnam, that the Joint Chiefs of Staff authorized CINCPAC to adopt the carrier level and posture he had recommended on 7 March.⁴⁴

44. (TS) Msg, JCS 8735 to CINCPAC, 051745Z Mar 73. (TS) Msg, CINCPAC to CJCS, 070325Z Mar 73, JCS IN 39642. (TS) Msg, JCS 2600 to CINCPAC, 080027Z Mar 73. (TS-EX) Msg, JCS 2807 to CINCPAC and CINCSAC, 252154Z May 73.

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from Thailand. The Secretary of Defense, however, took no action. The naval withdrawal, as will be related below, was carried out during the next several months, but none of the land-based air forces had been redeployed when the US forces withdrawal from South Vietnam was completed at the end of March 1973.⁴²

(C) On 10 February, CINCPAC requested authority to advance the date for the withdrawal of the USS MIDWAY out of the Gulf of Tonkin from 23 to 18 February 1973, but the Joint Chiefs of Staff turned down the request "due to uncertainties of the current situation." A week later, CINCPAC proposed to reduce the on-line CVA posture of the 7th Fleet from three to two. The Joint Chiefs of Staff advised CINCPAC that, until an effective cease-fire was attained in Laos, it was necessary to maintain adequate carrier support for air operations in Laos. Two carriers, they instructed, must be kept on-station for that purpose. The Joint Chiefs of Staff did not object to reducing the online posture to two carriers "provided the requirements for the END SWEEP [mine clearance] support CVA can be fulfilled by other means." Following a cease-fire in Laos, they said, the carrier posture question would be reassessed. Apparently, one carrier on-station was considered necessary for mine clearance support and the on-line posture continued unchanged at three.⁴³

(C) On 5 March, over two weeks after the 21 February cease-fire in Laos, the Joint Chiefs of Staff directed

42. (TS) JCSM-51-73 to SecDef, 8 Feb 73, Encl A to JCS 2472/856, 5 Feb 73; (TS) JCSM-263-73 to SecDef, 14 Jun 73, Encl to JCS 2472/856-1, 13 Jun 73; JMF 911/374 (5 Feb 73).

43. (S) Msgs, JCS 6308 and 4919 to CINCPAC, 111738Z and 182048Z Feb 73.

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United States proceeded with the next in the series of four redeployment increments. As specified by the Joint Chiefs of Staff on 25 January, the second would occur during the period X+16 through X+30 (12-27 February) and consist of 4,000 to 4,500 US troops. On 17 February 1973, Admiral Moorer approved a second withdrawal of 5,600 spaces and directed planning for a third and fourth increment of approximately 5,800 each. Later, on 21 February, Admiral Moorer changed this guidance slightly, authorizing a third withdrawal of about 5,500 during X+31 to X+45 (28 February through 14 March) and a fourth of approximately 6,000 spaces in the period X+46 and X+60 (15 through 29 March). Meantime increment two continued apace and by 27 February US military strength in South Vietnam had fallen to 12,065.⁴⁷

(U) According to the agreed procedure, the second North Vietnamese and PRG release of US prisoners was to occur on 27 February upon the completion of the second phase of the US withdrawal. During the earlier part of the period, all seemed to be going according to plan. In fact, on 18 February, North Vietnam freed 20 US prisoners ahead of schedule as a goodwill gesture following Dr. Kissinger's visit to Hanoi. But, thereafter, things began to bog down. North Vietnam and the PRG refused to furnish the United States with prisoner names and details of the next scheduled release, and on 27 February, North Vietnam announced that there would be no further release of American prisoners as long as the United States failed to carry out the Paris agreement. A North Vietnamese spokesman in the Four-Party

47. (S) Msgs, JCS 3870 and 7299 to CINCPAC (info COMUSMACV), 170449Z and 211443Z Feb 73. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (U) p. H-3.

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(C) At the same time that the Joint Chiefs of Staff were considering reduction of air and naval assets in Southeast Asia, they were also addressing the requirement for air surge capabilities for the same area. In response to a Secretary of Defense request for recommendations for assumptions on which to base short-term Service munitions procurement and distribution planning, the Joint Chiefs of Staff advised the Secretary on 23 February 1973 that an immediate surge capability in Southeast Asia should be maintained at the following monthly levels: 12,000 (10,000 USAF and 2,000 USMC) land-based tactical air sorties; 3,000 B-52 sorties; and 8,400 carrier-based tactical air sorties. Munitions support, the Joint Chiefs of Staff continued, should be sufficient to maintain these levels indefinitely. The Joint Chiefs Staff also believed that the Southeast Asia air munitions support posture should provide for a resumption of Royal Laotian Air Force sorties to 3,000 per month, and they recommended that continued US air activity in Cambodia be included although they could not predict at that time the level and duration of such activity. There was, however, no immediate response to their proposals.⁴⁵

COUNT DOWN Continues

(C) With the successful completion of the first increment of the withdrawal of remaining US military forces from South Vietnam on 12 February 1973,⁴⁶ the

⁴⁵. (S) Memo, SecDef to CJCS, 12 Feb 73, Att to JCS 2339/360-20, 13 Feb 73; (TS) JCSM-69-73 to SecDef, 23 Feb 73, Encl to JCS 2339/360-21, 22 Feb 73; JMF 907/305 (27 Oct 72) sec 3.

⁴⁶. See p. 723.

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(TS) Following the North Vietnamese provision of the specific release date, the Joint Chiefs of Staff directed CINCPAC to resume Operation COUNT DOWN on 4 March with the withdrawal rate adjusted as necessary to complete the third increment redeployment of 5,500 by X+45 (14 March). On 4 March, North Vietnam released 106 US military personnel and two Thais. The following day, the PRG freed 34 additional prisoners in Hanoi (27 US military, three US civilians, and four foreign nationals).⁵¹

(U) Subsequently, the US withdrawal proceeded, but increasing controversy developed between the two South Vietnamese parties over exchange of their prisoners. Fearing that this dispute might delay the release of further US prisoners, the White House Press Secretary in Washington stated that the return of US prisoners was tied "only to withdrawal of American forces from Vietnam." The US Delegation to the Four-Party Joint Military Commission reiterated that position, insisting that under the 27 January agreement release of US prisoners depended solely upon the withdrawal of US troops from South Vietnam and was in no way tied to Vietnamese disputes.⁵²

(C) On 8 March, the two South Vietnamese parties resolved their differences on prisoners and began a round of exchanges, but these ended abruptly on

73, Weekly Compilation of Presidential Documents, 5 Mar 73, p. 193. NY Times, 28 Feb 73, 1; 1 Mar 73, 1; 2 Mar 73, 3; 3 Mar 73, 1. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (C) p. G-24.

51. (TS-EX) Msg, JCS 7839 to CINCPAC, 031746Z Mar 73. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (U) p. H-3. (TS-NOFORN) CINCPAC Command History, 1973, (U) p. 601. NY Times, 4 Mar 73, 1; 5 Mar 73, 1 and 15.

52. NY Times, 6 Mar 73, 1; 11 Mar 73, 14.

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Joint Military Commission accused the United States of encouraging Saigon to create difficulties and obstacles for the Joint Military Commission, claiming that the Thieu regime had conducted 20,000 military operations since the cease-fire began.⁴⁸

(TS) The United States acted at once to meet this challenge. Further US troop withdrawals from South Vietnam and all mine clearance operations were suspended on 27 February. At the same time, President Nixon instructed Secretary of State Rogers, who was attending the international conference on Vietnam⁴⁹ in Paris, "to demand clarification" of the prisoner issue from the North Vietnamese delegation on an urgent basis, giving the matter "highest priority" before any other business of the conference. The North Vietnamese delegation assured the US Secretary that all prisoners would be released before the end of the 60-day period stipulated in the agreement but did not specify the timing of the next release, and the United States continued the suspension of troop withdrawals from South Vietnam. Subsequently, on 1 March 1973, the North Vietnamese delivered in Saigon a list of 108 prisoners to be released in the next several days, and on 2 March North Vietnam informed the US delegation at the Four-Party Joint Military Commission of the definite release date of 4 March. On 2 March, the PRG also announced its readiness to turn over 27 US military prisoners in the near future.⁵⁰

48. NY Times, 14 Feb 73, 1; 19 Feb 73, 1; 26 Feb 73, 1; 27 Feb 73, 1. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (C) pp. G-23 - G-24.

49. See below, pp. 753-754.

50. (TS-EX) Msg, JCS 3889 to CINCPAC, 271859Z Feb 73. Statement by White House Press Secretary, 27 Feb

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resumed the increment 3 redeployment on 14 March and completed it two days later, lowering US military strength in South Vietnam to 6,289 personnel.⁵⁴

Cease-Fire in Laos

(U) In the "Agreement on Ending the War and Restoring Peace in Vietnam," the United States and North Vietnam pledged to respect the 1962 Geneva Agreement on Laos and called upon foreign countries to end all military activities and withdraw all military personnel and armaments from that country. The Vietnam agreement further provided that the internal affairs of Laos should be settled by the Laotians free of foreign interference. In describing the Vietnam agreement on 24 January, Dr. Kissinger indicated his expectation of a formal cease-fire in Laos within a short time, and in fact, representatives of the opposing factions in Laos, the Royal Laotian Government and the communist Pathet Lao, had been meeting since October 1972 to achieve a peaceful settlement.⁵⁵

(S) The United States conducted no ground operations in Laos and had no military forces there, but it did carry out both B-52 and tactical air strikes in Laos in support of the Royal Laotian Government as well as various special operations. As related above,⁵⁶ the United States increased authorized air activity levels in Laos upon implementation of the cease-fire in Vietnam, and US air strikes there increased

54. NY Times, 13 Mar 73, 14; 14 Mar 73, 3; 16 Mar 73, 4. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (U) p. H-3. (TS-NOFORN) CINCPAC Command History, 1973, (U) pp. 601-602.

55. See Chapter 13, pp. 700-701. NY Times, 12 Feb 73, 1.

56. See pp. 713-714.

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10 March when the PRG cancelled further releases, accusing GVN forces of attacking and occupying a prisoner turnover point. In an effort to prevent the Vietnamese impasse from halting further releases of US prisoners, and to put pressure on North Vietnam to free the remaining US detainees on schedule, the United States on 10 March stopped further increment 3 withdrawals.

(C) Admiral Moorer instructed CINCPAC on that date to discontinue the withdrawals immediately. The balance of the increment would be withdrawn on the day that North Vietnam freed the next group of US prisoners, tentatively planned for 14 March. Should the US prisoners be returned over a two-day period, then completion of increment 3 should take place over the same period. With regard to the fourth and final withdrawal increment, Admiral Moorer directed CINCPAC to hold all redeployments until receipt of the final POW release list from North Vietnam. Then the US withdrawal should be completed within 72 hours. Admiral Moorer requested that this timing for the removal of the remaining US forces be announced in the Four-Party Joint Military Commission.⁵³

(U) North Vietnam on 12 March provided the United States with a prisoner list for the next release and freed the men on the list in Hanoi on 14 March. The group included 107 US military personnel and one US civilian, and the succeeding day, the PRG released another 32 US prisoners, 27 military and five civilians, in Hanoi. Accordingly, the United States

⁵³. NY Times, 8 Mar 73, 5; 9 Mar 73, 14. (TS) Msg, JCS 7596 to CINCPAC (info COMUSMACV), 101731Z Mar 73. (S) Msg, JCS 7952 to CINCPAC (info COMUSMACV and MAC), 102319Z Mar 73.

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(U) With respect to a political settlement, the Laotian agreement included the creation, within 30 days, of a National Provisional Coalition Government and a National Political Coalition Council, each composed of equal numbers of representatives from both sides, "to administer national tasks." "General and free democratic elections" for a national assembly and a permanent national coalition government were also called for, but no date was specified.⁵⁹

(TS) The Joint Chiefs of Staff had anticipated the agreement in Laos, and on 10 February 1973 Admiral Moorer submitted to the Secretary of Defense appropriately revised rules of engagement for US forces in Southeast Asia to reflect a cease-fire in Laos. Upon announcement of the agreement, on 21 February, the Joint Chiefs of Staff issued both revised rules of engagement and operating authorities for use following the cease-fire in Laos. The Joint Chiefs of Staff also directed all US forces to discontinue all acts of force in Laos, including air strikes and psychological operations, effective 220500Z February 1973. The only exception was B-52 and tactical air strikes in Laos in the event of Pathet Lao/North Vietnamese initiatives in violation of the cease-fire agreement. Such strikes would be conducted only after a request by the Commander, USSAG; validation by Ambassador in Laos; and approval by the Joint Chiefs of Staff.⁶⁰

59. NY Times, 21 Feb 73, 1. Unofficial text of Cease-fire Agreement signed by Laotian Government and Pathet Lao, 21 Feb 73, reproduced in NY Times, 22 Feb 73, 17.

60. (TS-EX) CM-2495-73 to SecDef, 10 Feb 73, CJCS File 091 SEA, Jan-Apr 73. (TS) Msg, JCS 7805 to CINCPAC and CINCSAC, 212332Z Feb 73. (TS-EX) Msg, JCS 7811 to CINCPAC and CINCSAC, 212337Z Feb 73. (S-EX) Msg, JCS 8066 to AIG 7076, 212330Z Feb 73.

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significantly during the last days of January and early February 1973.⁵⁷

(U) By early February, there were growing reports of an imminent cease-fire in Laos and speculation on this matter was fueled when Dr. Kissinger stopped in Vientiane on 9 February on his way to Hanoi to discuss the progress of the Laotian peace negotiations. In a further indication of US interest, the White House Press Secretary stated on 14 February that the United States considered the Laotian situation "a matter of great urgency," and the following day, the Deputy Assistant Secretary of State for East Asian and Pacific Affairs, and former US Ambassador to Laos, William H. Sullivan, arrived in Vientiane for a 24-hour visit.⁵⁸

(U) The reports of a truce in Laos proved accurate, for, on 21 February 1973, the Royal Laotian Government and the Pathet Lao signed a peace agreement ending their 20-year struggle. A cease-fire would enter into effect on noon, local time (220500Z), on 22 February and the two sides would maintain control of the areas then held. The agreement provided for the withdrawal of foreign military forces within 60 days and for an exchange of captured personnel by the two Laotian sides during the same 60-day period. Foreign countries were called upon to cease "completely and permanently" all bombing of Laotian territory and all military movements in Laos. The two parties would immediately establish a military commission to implement the cease-fire and the International Control Commission established by the Geneva Agreements of 1962 would oversee the agreement.

57. (TS-NOFORN) CINCPAC Command History, 1973, (S) p. 637.

58. NY Times, 10 Feb 73, 3; 12 Feb 73, 1; 15 Feb 73, 12; 16 Feb 73, 1.

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(S) Another effort was the "International Conference" on Vietnam designed to gain major power support, including the Soviet Union and the People's Republic of China, for the Agreement Ending the War and Restoring Peace in Vietnam. The agreement included provision for such a conference to acknowledge the 27 January documents, to guarantee the peace in Vietnam, and to pledge respect for the rights of the Vietnamese people. The conference would assemble within 30 days of the signature of the agreement. Participants would include the four parties to the Vietnam agreement as well as France, Britain, the People's Republic of China, the Soviet Union, the Secretary General of the United Nations, and the four members of the International Commission for Control and Supervision (ICCS)--Canada, Hungary, Indonesia, and Poland. In preparation for the conference, Dr. Kissinger ordered on 30 January 1973 a study of objectives and courses of action for the meeting. The study, to be drafted under the direction of the Chairman of the NSC Interdepartmental Group for East Asia, was to consider possible organization for the conference as well as appropriate substantive issues to be pursued there and was to include a proposed "game plan" and negotiating instructions.⁶³

(S) The Interdepartmental Group study was completed and circulated for a Senior Review Group meeting scheduled for 6 February 1973. The principal US objective, as set forth therein, was to achieve overall endorsement of the Vietnam agreement, serving "to assure that all Conference participants observe and respect its provisions." In addition the Interdepartmental Group proposed that the United States seek:

63. (S-EX) NSSM 167, 30 Jan 73, Att to JCS 2339/362, 31 Jan 73, JMF 907/075 (30 Jan 73).

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(TS) The agreement in Laos did not end the fighting in that unfortunate country. During the morning of 23 February, Prince Souvanna Phouma, the Premier of the Royal Laotian Government, charged the Pathet Lao with launching a general offensive throughout the country and asked renewed US bombing. This request was passed through the designated channels to the Joint Chiefs of Staff, and Admiral Moorer approved the air strikes later the same day. Thus, before the cease-fire was 24 hours old, nine US B-52s struck enemy locations in the Bolovens Plateau near Paksong in southern Laos. Thereafter the level of fighting dropped off, but the United States conducted further air strikes, both B-52 and tactical, in Laos in April 1973, and the cease-fire was never completely effective.⁶¹

Efforts to Make the Peace Secure

(U) Immediately following the signature of the Vietnam agreement on 27 January 1973 the United States participated in several efforts to guarantee the settlement set forth in that document and its protocols. On 31 January 1973, the White House Press Secretary announced that the United States and North Vietnam had reached agreement for Dr. Kissinger to visit Hanoi. The visit, to occur during the period 10-13 February, would seek to guarantee peace and lay the groundwork for reconstruction in Southeast Asia.⁶²

61. (TS-EX) Msg, JCS 8944 to CINCPAC and CINCSAC, 222124Z Feb 73. (TS-NOFORN) CINCPAC Command History, 1973, p. 637. NY Times, 23 Feb 73, 1; 24 Feb 73, 1; 25 Feb 73, 5.

62. Public Papers, Nixon, 1973, p. 53. NY Times, 1 Feb 73, 1.

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establishment of a direct and continuing relationship between the conference, or its participants, and the ICCS; a pledge for respect of the "sovereignty, integrity and neutrality" of Laos and Cambodia, with endorsement of any internal political settlements concluded in those countries before the time of the conference; and a pledge for cooperation in the "rehabilitation and reconstruction of all of Indochina" and the creation of "an appropriate framework" to develop assistance programs. The study concluded with a detailed scenario to accomplish these objectives.⁶⁴

(S) The Joint Chiefs of Staff received a copy of the Interdepartmental Group study, but there is no evidence that they either contributed to it or commented on it. This is understandable since it was essentially a political matter. The Vice Director of the Joint Staff did on 6 February appoint a representative and a point of contact within the OJCS with respect to the study, but available files reveal no further JCS action on the matter.⁶⁵

(U) On 10 February 1973, Dr. Kissinger arrived in Hanoi after a brief visit in Laos.⁶⁶ He talked with North Vietnamese leaders for three days and then departed on 13 February without public comment en route to Peking. On the following day, the United States and North Vietnam released a "Joint Communique" on the Kissinger meetings. There had occurred "frank, serious,

64. (S-EX) Memo, Chm, Interdep'tal Group for East Asia to Chm, SRG, 2 Feb 73, Encl to Att to JCS 2339/362-1, 5 Feb 73, JMF 907/075 (30 Jan 73).

65. (S-EX) JCS 2339/362-1, 5 Feb 73; DJSM-234-73 to Office of Asst to Pres for NSC, 6 Feb 73; same file.

66. See above, p. 748.

and constructive exchanges of views on implementation of the agreement on ending the war . . . as well as post-war relations between the Democratic Republic of Vietnam and the United States and other subjects of mutual concern." "The two sides" had carefully reviewed implementation of the agreement "in the recent period" and considered "imperative measures" to improve and expedite implementation. "Problems existing between the Indochinese countries" should be settled by "the Indochinese parties on the basis of respect for each other's independence in each other's internal affairs." In addition, according to the communique, the United States and North Vietnam exchanged views on convening the International Conference on Vietnam and on the postwar relationship between the two countries and agreed to establish a Joint Economic Commission composed of equal representation from both parties and charged with developing "economic relations" between the countries.⁶⁷

(U) Delegates of the United States, North Vietnam, the Government of the Republic of Vietnam, the PRG, and the eight other parties designated in the Vietnam agreement gathered at the Majestic Hotel in Paris on 26 February together with the Secretary General of the United Nations for the International Conference on Vietnam. Representation was at the foreign minister level, and Secretary of State Rogers led the US delegation. The conference set to work at once but its efforts were almost immediately jeopardized by the prisoner release impasse that arose between the United States and North Vietnam on 27 February.⁶⁸ As

67. NY Times, 10 Feb 73, 3; 15 Feb 73, 1. US-DRV Joint Communique, 14 Feb 73, reproduced in Weekly Compilation of Presidential Documents, 19 Feb 73, p. 141.

68. See above, pp. 743-744.

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already related, President Nixon instructed Secretary Rogers to give that matter priority over any other concern of the conference, and all attention focused on that matter. When on 1 March North Vietnam supplied the United States a list of the US prisoners to be freed in the next contingent, the conference was able to resume its assigned tasks, and the next day it completed and signed a declaration.⁶⁹

(U) In the "Declaration of the International Conference on Vietnam," the participating parties expressed approval of the Agreement on Ending the War and Restoring Peace in Vietnam and the accompanying protocols as well as the commitments made therein by the United States and the three Vietnamese participants. Additionally, the Declaration included a mechanism to reconvene the conference if the cease-fire in Vietnam broke down. In case of such an eventuality, either the United States and North Vietnam jointly or six of the remaining parties might call the conference back into session, and the Declaration provided that the four parties to the Vietnam agreement might, either jointly or individually, inform the other conference participants about implementation of the agreement and the protocols. It was also the duty of the four parties to the Vietnam agreement, again either jointly or individually, to forward ICCS reports to the other parties to the Declaration. Finally, in accordance with the objective and efforts of the United States,

⁶⁹. NY Times, 27 Feb 73, 1; 28 Feb 73, 1; 1 Mar 73, 1; 2 Mar 73, 1. The declaration was signed by the foreign ministers of the 12 countries participating in the conference but, at communist insistence, not by the Secretary General of the United Nations.

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the Declaration contained a commitment for the respect of "the independence, unity, territorial integrity, and neutrality" of Cambodia and Laos. The Declaration did not, however, include any pledge for cooperation or machinery for rehabilitation or reconstruction of Indochina, a matter originally among US objectives for the conference.⁷⁰

(U) The conference and its concluding Declaration secured public recognition of the Vietnam agreement by the major powers concerned, but how effective this endorsement would prove remained to be determined. Critics of the Declaration were quick to point out that the arrangements provided therein were "essentially a closed circuit" with no independent outside authority to receive reports from the International Control teams in Vietnam. The ICCS had already proved to be of limited effectiveness, and the conference took no action to remedy that situation.⁷¹

Casualty Resolution

(U) One of the major concerns of the United States in achieving a peaceful settlement in Vietnam was the return of US prisoners of war. Of equal importance was the resolution of the status of US military personnel officially listed as missing in action. The Vietnam agreement stipulated that the parties "all help each other" to obtain information on both military personnel and foreign civilians missing in action, to locate and recover the remains of such personnel, and to take "any such other measures" as might be required to get information about those still considered missing in action. The Protocol on Prisoners of War charged the

⁷⁰. Declaration of the International Conference on Vietnam, 2 Mar 73, text printed in NY Times, 3 Mar 73, 6. NY Times, 2 Mar 73, 1.

⁷¹. NY Times, 2 Mar 73, 3.

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Four-Party Military Commission with ensuring joint actions by the parties to implement this aspect of the agreement, but no specific mechanism was included for the purpose.⁷²

(TS) When the Vietnam agreement was reached, the United States had plans ready to resolve the status of missing personnel. At the time of the intensive US post-hostilities preparations in the fall of 1972, this planning included two aspects--"personnel recovery" and "casualty resolution." With respect to the former, CINCPAC CONPLAN 5100 provided for two offshore-based task forces, operating in a hostile environment, to assist in the recovery of US and friendly personnel who had either evaded capture or escaped from enemy control. For casualty resolution in the event of a cease-fire in Southeast Asia, CINCPAC had prepared and the Joint Chiefs of Staff approved a concept for a 60-man Joint Casualty Resolution Center (JCRC) (initially called the Joint Information Center) to function in a non-hostile environment to obtain information on prisoners and missing personnel. This Center would operate under CINCPAC while US forces were withdrawing from Vietnam. On 3 November 1972, the Joint Chiefs of Staff had informed CINCPAC of the prospects of an "impending" truce in Southeast Asia and directed immediate acceleration and expansion of the casualty resolution aspects of the planning.⁷³

72. "Agreement on Ending the War and Restoring Peace in Vietnam," 27 Jan 73; "Protocol on Prisoners of War," 27 Jan 73; both reproduced in Weekly Compilation of Presidential Documents, 29 Jan 73, pp. 45-53.

73. (TS-GP 3) CINCPAC CONPLAN 5100, 19 May 72; (TS-EX) JCS 2054/874, 23 Jan 73; JMF 346 (19 May 72). (C) Msg, JCS 2393 to CINCPAC, 132203Z Sep 72. (TS) Msg, JCS 3552 to CINCPAC, 032346Z Nov 72.

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(TS) In compliance, CINCPAC expanded his CONPLAN 5100 in December 1972 to include both personnel recovery in a hostile environment and casualty resolution following a cease-fire. For the latter, the plan visualized search for crash and grave sites by South Vietnamese, Laotians, and Cambodians coordinated by the US Embassies in those countries and supported by CINCPAC and the Joint Casualty Resolution Center. Subsequently, teams led by US personnel would inspect located sites and evacuate remains found. The Joint Casualty Resolution Center would be expanded to a 110-man body located in Thailand.⁷⁴

(S) The Joint Chiefs of Staff reviewed CINCPAC's expanded plan and told him on 24 January 1973 to make casualty resolution the subject of a separate plan. In addition, the Joint Casualty Resolution Center was to be designated a joint task force with its commander responsible to the USSAG/7AF, and casualty resolution operations were to include "more direct US participation." The personnel recovery provisions of CINCPAC CONPLAN 5100 would remain in effect. The Joint Chiefs of Staff informed the Secretary of Defense of the CINCPAC planning as well as their action on it and asked him to arrange with the Secretary of State for necessary coordination. Later the same day, 24 January 1973, Admiral Moorer authorized CINCPAC to deploy a JCRC advance party of no more than five persons to Thailand.⁷⁵

74. (TS-EX) Msg, CINCPAC to CINCPACFLT et al., 020405Z Dec 72, JCS IN 46255. (TS-EX) Msg, CINCPAC to JCS et al., 141905Z Dec 72, JCS IN 70202.

75. (S-EX) Msg, JCS 7062 to CINCPAC, 241751Z Jan 73 (derived from JCS 2054/874); (S-EX) JCSM-40-73 to SecDef, Encl C to JCS 2054/874, 23 Jan 73; (S-EX) SM-36-73 to CINCPAC, 24 Jan 73, Encl B to JCS 2054/874, 23 Jan 73; JMF 346 (19 May 72). (S) Msg, JCS 7271 to CINCPAC, 242034Z Jan 73.

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(TS) Thereafter, on 27 January 1973, CINCPAC circulated his Casualty Resolution CONPLAN 5119, which incorporated the revisions directed by the Joint Chiefs of Staff. All operations would be coordinated with appropriate US Embassies in Southeast Asia and would be supported with RVN, RLG, and GKR military, paramilitary, and civilian personnel. On the following day, 28 January, COMUSMACV established the Joint Casualty Resolution Center, and the advance party of the Center arrived at Nakhon Phanom Air Base in Thailand on 29 January.⁷⁶

(S) Subsequently, on 9 February 1973, the Secretary of Defense approved the arrangements for casualty resolution as presented to him by the Joint Chiefs of Staff two weeks earlier, and the Joint Chiefs of Staff advised CINCPAC on 13 February that CONPLAN 5119 was approved for implementation and for coordination with appropriate US Embassies in Southeast Asia. In the meanwhile, the Joint Casualty Resolution Center had been authorized 29 additional personnel, for a total of 139, and 50 of whom were at the Center in Nakhon Phanom by 15 February under the command of Brigadier General Robert C. Kingston, USA, Chief of the JCRC.⁷⁷

(TS) To assist casualty resolution, the Joint Chiefs of Staff had directed Major General Woodward, Chief of the US Delegation to the Four-Party Joint Military

76. (TS-EX) Msg, CINCPAC to COMUSMACV et al., (info JCS), 270347Z Jan 73, JCS IN 57000. (S-NOFORN) CINCPAC Command History, 1973, p. 216.

77. (S) Memo, SecDef to CJCS, 9 Feb 73, Att to JCS 2054/874-1, 12 Feb 73; (S-EX) Msg, JCS 8359 to CINCPAC, 132001Z Feb 73; JMF 346 (19 May 72) (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (U) p. G-8.

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Commission, on 27 January to secure the following actions in the Commission: (1) an exchange of information by all four parties on lost military and civilian personnel with supporting documentation where possible; (2) cooperation in the return of remains of deceased military and civilian personnel lost by all parties; (3) coordination by the FPJMC or the ICCS, or both, on efforts to determine the status of missing personnel, to include authorization for search teams organized and accompanied by US personnel to locate and inspect crash and grave sites throughout Southeast Asia, for US teams to conduct "massive, all source media, information-reward programs" to solicit information on grave sites, and for US overflight of areas throughout Southeast Asia for crash and grave site location and identification. These matters were duly introduced in the Four-Party Commission, but no action was forthcoming. The Joint Chiefs of Staff again directed General Woodward on 7 March 1973 to press these matters at the Four-Party Commission and to raise the possibility of a four-party team to continue in existence beyond X+60 to pursue casualty questions. The Four-Party Commission did, in one of its last acts, establish a joint team⁷⁸ to exchange information on missing personnel, but no other positive action resulted on casualty resolution matters.⁷⁹

(S) Following the establishment of the Joint Casualty Resolution Center, its Chief visited the US Embassies in Cambodia, Laos, and Thailand to arrange

⁷⁸. See below, p. 782

⁷⁹. (TS-EX) Msg, JCS 1567 to COMUSMACV (for MG Woodward), 280139Z Jan 73. (S-EX) Msg, JCS 1865 to CINCPAC (info for MG Woodward), 071451Z Mar 73. (S) Msg, Ch, US Del, FPJMC to COMUSMACV (info JCS), 091400Z Mar 73, JCS IN 45306.

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appropriate coordination. He found the Ambassadors sympathetic but without positive guidance for cooperation. At CINCPAC's recommendation, joint State/Defense guidance was issued to the US Ambassadors in Laos, South Vietnam, Cambodia, and Thailand on 17 March; even so operations did not get underway immediately thereafter. In fact, no casualty resolution operations had yet been conducted when the US military withdrawal from South Vietnam was completed on 29 March 1973, and it was not until 7 May 1973 that the first ground search operation was carried out.⁸⁰

Progress of the Cease-Fire

(C) By the end of February 1973, the cease-fire had been in effect for more than a month, but peace had not come to Vietnam. As already described, the fighting in South Vietnam increased sharply in the days immediately preceeding and following the 28 January cease-fire. The level of combat had tapered off somewhat by the end of the first week of February, but then flared again as units of both South Vietnamese parties continued to maneuver and exchange artillery fire. Throughout February, the RVNAF pursued security operations to regain control of communist infiltrated areas and to reopen and repair lines of communication. By the end of the month the fighting had again fallen off, but had by no means ceased. From 28 January 1973 through the month of February, more than 8,000 communist forces and 1,500 RVNAF soldiers were killed, a number equal to almost half of those killed in the North Vietnamese offensive in the spring of 1972.⁸¹

80. (TS-NOFORN) CINCPAC Command History, 1973, (S) pp. 217-218.

81. (TS-NOFORN COMUSMACV Command History, Jan 73-Mar 73, (C) pp. 141-149. NY Times, 28 Feb 73, 8.

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(TS) Similarly, the machinery created by the Vietnam agreement to implement the settlement had proved ineffective in the 30-day period following the cease-fire. Although the Four-Party Joint Military Commission was established for the sole purpose of implementing peace in Vietnam, its only success to that date was the arrangement of the release of the prisoners of war, and the Commission machinery to supervise and enforce the peace had not functioned at all. The PRG had failed to man the Commission's joint Military Teams, and North Vietnam, after some initial deployments, refused to complete the manning of the teams or to cooperate in the Regional Military Commissions. The result was to render the Four-Party Joint Military Commission completely ineffective. By the end of February, the only positive Commission action to enforce peace was an appeal by the Central Commission on 17 February to both the Vietnamese parties in South Vietnam to halt further fighting, and even though that call received wide publicity, it went unheeded.⁸²

(TS) Likewise the International Commission of Control and Supervision had been unsuccessful in facilitating peace. Charged by the Vietnam agreement with supervision of the cease-fire, the Commission members, including Canada, Hungary, Indonesia, and Poland, interpreted their mission to be one of investigation of violations rather than interposition between the parties to stop military action. But until the fighting ended, there was little opportunity for the Commission to carry out timely or objective

⁸². NY Times, 17 Feb 73, 1; 28 Feb 73, 1. (TS-EX) Final Rpt, US Del, Four-Party Joint Military Commission, n.d., Att to JCS 2472/873, 20 Jun 73, JMF 911/533 (20 Jun 73).

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investigations. Moreover, internal division, with the Hungarian and Polish members opposing all efforts to achieve an impartial supervisory body, further restricted the effectiveness of the International Commission of Control and Supervision.⁸³

(TS) The continuing fighting caused considerable concern for US officials, both for those remaining in Vietnam and for those in Washington. The Joint Chiefs of Staff were not optimistic about the chances for peace in Southeast Asia and, on 21 February, they directed preparation of contingency plans for possible resumption of US air and naval strikes against North Vietnam. They instructed CINCPAC to plan options for strikes against military targets in the northeast quadrant of North Vietnam and attacks on military targets in the North Vietnam panhandle. Both options were to provide for "massive sustained, all-weather, around-the-clock" air and naval strikes of a duration ranging from three days to continuous operations. The Joint Chiefs of Staff also requested CINCPAC to prepare and maintain plans for appropriate levels of US military action in Cambodia and Laos.⁸⁴

(C) On 23 February 1973, the Chief of Staff of the US Air Force, General Ryan, informed the Joint Chiefs of Staff of what he considered a "major" cease-fire violation by the North Vietnamese and PRG. Recent aerial photography had revealed two operational surface-to-air (SAM) missile sites in the Khe Sanh valley of South Vietnam. Since there was no

83. (TS-EX) Final Rpt, US Del, Four-Party Joint Military Commission, n.d., Att to JCS 2472/873, 20 Jun 73, JMF 911/533 (20 Jun 73). NY Times, 28 Feb 73, 1.

84. (TS-EX) Msg, JCS 6647 to CINCPAC, 210058Z Feb 73; JCS 2339/364, 21 Feb 73; JMF 907/300 (21 Feb 73).

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evidence of enemy SAMs deployed in South Vietnam, on the date of the cease-fire, and as the Vietnam agreement clearly forbade the introduction of such weapons, General Ryan wanted the United States to protest this violation. He proposed a protest to the Four-Party Joint Military Commission and, if that approach brought no response, then an appeal to the International Commission for Control and supervision.⁸⁵

(C) The Operations Deputies considered General Ryan's proposal the same day but, perhaps because of the dismal record of both the Four-Party Commission and the International Commission for Control and Supervision, did not accept the recommendation. Rather, they agreed that the Chairman of the Joint Chiefs of Staff should handle the matter "in another manner," and the available record does not indicate further action on this proposal.⁸⁶

(C) After the first 30 days of the cease-fire, Ambassador Ellsworth Bunker prepared an appraisal of the situation in South Vietnam. In a message for the Secretary of State on 3 March 1973, which was circulated in the Department of Defense, the Ambassador observed that the "level of violence" had declined since the initiation of the agreement. Violations had been flagrant, however, with both sides sharing responsibility. Most areas of South Vietnam lost to communist control in the fighting around the cease-fire date had now been recovered, Ambassador Bunker said,

85. (S) CSAFM 22-73 to JCS, "A Major Cease-Fire Violation," 23 Feb 73, JMF 911/305 (CY 1973).

86. (S) Note to Control Division, "CSAFM 22-73, 'A Major Cease Fire Violation,'" 23 Feb 73, JMF 911/305 (CY 1973).

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and the GVN felt fully justified in the use of force to regain this ground and, in some cases, even to attack areas traditionally held by the communists. The Ambassador confirmed that the Four-Party Joint Military Commission had failed to develop into an effective mechanism to enforce the cease-fire despite the determined efforts of the United States. This state of affairs was due in part to the stalling and obstruction of North Vietnam and the PRG, but he added that the GVN also deserved some of the blame. It had systematically harrassed and mistreated the North Vietnamese and PRG elements of the Joint Military Commission. As a partial explanation of the GVN attitude, Ambassador Bunker told of reliable intelligence reports revealing communist intentions not to honor the Vietnam agreement and to continue their military buildup in South Vietnam. Two steps were necessary, Ambassador Bunker believed, before the shooting stopped in South Vietnam: (1) "unambiguous commands" to all military units of both sides to cease all offensive activities and remain in place; (2) the establishment of an effective two-party joint military commission, composed of GVN and PRG personnel, to work out the terms of the cease-fire and determine areas of control after completion of the US withdrawal. The Ambassador had pressed these points on President Thieu, but he questioned the confidence of the South Vietnamese president and his government to face up to the communists in a political struggle.⁸⁷

(TS) Two days later, on 5 March, Admiral Moorer informed the Secretary of Defense of evidence confirming Ambassador Bunker's contention that North Vietnam and

87. (S) Msg, Saigon 8157 to State, 3 Mar 73, J-5 Action Officer Files.

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the PRG did not intend to honor the cease-fire. Recent intelligence, the Admiral told the Secretary, indicated the movement of 12 130mm field guns from Cambodia into South Vietnam as well as deployment of an armored unit with 20-25 tanks into MR 1. In addition, Admiral Moorer reported that increasing numbers of trucks carrying supplies were moving through the Demilitarized Zone, that shipments into the Laos panhandle were at the highest levels of the dry season, and that large quantities of military supplies were moving into South Vietnam from Laos and Cambodia. "These developments," he said, "are a direct manifestation of the efforts of the North Vietnamese to establish an improved military posture which can be used for major operations against the Republic of Vietnam."⁸⁸

(C) In mid-February, the Secretary of Defense had requested General Weyand's "personal assessment" of the RVNAF ability to meet the situation in South Vietnam, and the commander provided his views to Admiral Moorer on 7 March 1973. The Chairman, in turn, relayed the assessment to the Secretary, adding that it had not been formally addressed by the Joint Chiefs of Staff and should not be considered an expression of their views. In an "overview" of the situation, General Weyand predicted the North Vietnamese and PRG near term objective in South Vietnam to be the extension of influence through political and "lower level" military activities. To achieve that end, the General believed that North Vietnam intended to keep forces in South Vietnam into the mid-term period (1974-1978) and that major areas of concern would be Quang Tri-Thua Thien

88. (TS-EX) CM-2533-73 to SecDef, 5 Mar 73, CJCS File 091 Vietnam, Mar 73.

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and Binh Long-Tay Ninh, areas that could afford a base for a viable military option if objectives proved unattainable through the political process. Consequently, COMUSMACV felt that "rapid victory" for the GVN was not "in the offing," but neither did he think "decisive violation" of the cease-fire by North Vietnam and the PRG likely.

(C) With regard to the capabilities of the RVNAF, General Weyand considered the current force structure more than adequate to meet the foreseeable threat and the number and mix of weapons satisfactory. There were, however, a number of problems remaining, including: a lack of adequately trained military manpower; inadequate counterbattery capability; limited grasp of combined tank-infantry tactics; an ineffective border security and interdiction concept; a minimum maritime air patrol capability; a lack of air cavalry capability; and limited air defense capabilities. General Weyand did not favor any reduction of the current 1.1 million RVNAF force structure, stating that FY 1974 changes could be accomplished within that ceiling. He did believe that regular force divisions could be reduced beyond FY 1978 and that a 400,000-man reserve should be established at that time.⁸⁹

(C) The RVNAF had lost significant numbers of weapons and equipment in the fighting since the

89. (C) Memo, SecDef to CJCS, "Assessment of RVNAF (U)," 17 Feb 73; (C) CM-2555-73 to SecDef, 12 Mar 73; JMF 911/292 (20 Mar 73). The COMUSMACV assessment was contained in MACV Msg 070930Z Mar 73. That msg has not been located, but a detailed summary of the assessment is contained in (TS) Memo, COL True (CJCS Staff Grp) to CJCS, "Assessment of RVNAF," 9 Mar 73, CJCS File 091 Vietnam, Mar 73.

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cease-fire, and on 8 March 1973, Admiral Moorer furnished the Secretary of Defense an accounting of this matter. Significant items included 32 tanks, 22 personnel carriers, and five howitzers, and Admiral Moorer wanted immediate authority to replace the RVNAF losses. Such action would be in accordance with the Vietnam agreement which allowed the Vietnamese parties to replace military equipment destroyed or damaged on a one-for-one basis.⁹⁰

(C) Secretary of Defense Richardson, however, did not believe one-for-one replacement prudent. He told Dr. Kissinger on 17 March 1973 that, even with the losses sustained since the cease-fire, the RVNAF inventory was still "ahead of needs" and could amply meet expected attrition over the next several years. Moreover, to replace all items would weaken US readiness posture and require additional appropriations, possibly invoking further Congressional "repercussions." Mr. Richardson thought that, with "careful management," the United States could assist the RVNAF to maintain an optimum combat capability without provoking Congress or degrading the readiness of US forces. Rather than an immediate one-for-one replacement of all equipment as allowed by the Vietnam agreement, the Secretary of Defense proposed that the United States replace only those RVNAF equipment losses that could be accommodated without degradation to US forces or diversion from firm military assistance or sales commitments; remaining losses would be replaced as US equipment was available, maintaining RVNAF stocks of ground equipment at a level providing no less than six months advanced attrition. South Vietnam must be made

90. (TS) CM-2548-73 to SecDef, 8 Mar 73, CJCS File 091 Vietnam, Mar 73.

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to understand the basis for such a US policy, the Secretary said, and should recognize that continued US resupply of such items as ammunition indicated a commitment to provide the RVNAF the means for adequate defense.⁹¹

(C) Dr. Kissinger and the President did not agree, and on 29 March 1973, Dr. Kissinger informed the Secretary of Defense that the President considered it "premature" to move to a policy of "restricted or delayed resupply" for the RVNAF. With North Vietnam continuing to infiltrate men and equipment into the south in "clear violation" of the cease-fire agreement, it was "critically important" for the RVNAF to have all possible supplies immediately available in case of a major offensive. Additionally, the President anticipated that South Vietnam "could and probably would" interpret a restricted supply policy as an indication of reduced US support. Consequently, the President directed continuation of a one-for-one replacement of all RVNAF equipment losses, and the Secretary of Defense issued the necessary directive to the Service Secretaries and the Joint Chiefs of Staff to maintain the RVNAF materiel posture at 27 January 1973 inventory levels.⁹²

(S) President Nixon was also concerned that the United States provide sufficient economic support to enable South Vietnam to avoid economic instability

91. (S) Memo, SecDef to Dr. Kissinger, 17 Mar 73, Att to JCS 2472/861, 20 Mar 73, JMF 911/495 (17 Mar 73).

92. (S) Memo, Dr. Kissinger to SecDef, 29 Mar 73, Att to JCS 2472/861-1, 2 Apr 73; (S) Memo, SecDef to Secys of MilDepts and CJCS, 9 Apr 73, Att to JCS 2472/861-2, 10 Apr 73; JMF 911/495 (17 Mar 73).

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that could weaken the South Vietnamese government and affect the prospects for peace. In mid-March he directed a study by the Departments of State and Defense of the essential level of foreign exchange support for South Vietnam in CY 1973 and means of meeting that requirement. He also asked the Department of Defense to review what it could do to provide economic support for South Vietnam. As a result of these studies, in which the Joint Chiefs of Staff did not participate, the President on 11 April 1973 directed appropriate actions to provide sufficient economic support to South Vietnam to permit the level of imports necessary for rapid economic recovery, for initiation of major reconstruction and refugee resettlement efforts, and for an acceleration of economic development to begin moving South Vietnam toward self-sufficiency. In addition, he wanted the Department of Defense to increase purchases for local procurement in South Vietnam.⁹³

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(U) When North Vietnam released the third group of US prisoners on 14 March 1973, the United States moved to complete the corresponding increments of its troop withdrawal from South Vietnam, and the last troops of that body left Saigon on 16 March 1973. Now, only one group of US prisoners remained to be returned and a final contingent of approximately 6,000 US

⁹³. (S-EX) Memo, Dr. Kissinger to SecDef, 13 Mar 73, Att to JCS 2472/860, 15 Mar 73, JMF 911/496 (13 Mar 73). (S-EX) Memo, Dr. Kissinger to DepSecys State and Defense, 13 Mar 73, Att to JCS 2472/859, 15 Mar 73, JMF 911/534 (13 Mar 73). (S) Extracts from NSDM 210, 11 Apr 73, JMF 001 (CY 1973) NSDMs.

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military personnel awaited redeployment from South Vietnam. Originally, the United States had planned to remove these remaining troops during the period 15 through 29 March, but following the difficulties experienced in the prisoner releases in late February and early March, the Joint Chiefs of Staff had directed CINCPAC on 10 March to hold all US redeployments in the fourth increment until the United States received the final prisoner list from North Vietnam.⁹⁴

(C) The US anticipation that the last prisoner release might be troublesome proved correct. The principal problem arose over the question of US prisoners held in Laos by the Pathet Lao. Although the Vietnam agreement included no provision for the return of US military or civilian personnel detained in Laos, the North Vietnamese had given Dr. Kissinger private assurances when the agreement was negotiated that US prisoners in Laos would be released no later than 60 days following the signature of the agreement, and Dr. Kissinger had said in his 24 January 1973 press conference that US prisoners in Laos would be returned in Hanoi.⁹⁵

(U) At a FPJMC meeting on 19 March 1973, Major General Woodward asked for the list of the last group of US prisoners and inquired whether US prisoners held in Laos were to be returned in Hanoi with the other prisoners. The North Vietnamese delegate replied he had no authority to discuss the release of prisoners

94. See above, pp. 742-746.

95. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (C) p. G-24. News Conference of Dr. Kissinger, 24 Jan 73, Weekly Compilation of Presidential Documents, 29 Jan 73, p. 65.

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in Laos, and General Woodward asked Washington for clarification and guidance.⁹⁶

(C) On 21 March 1973, North Vietnam proposed to return all US prisoners held in Hanoi as well as those held by the PRG on 25 March on condition that all US and other Free World forces in South Vietnam were also removed by that date. The proposal, however, contained no provision for US troops held in Laos. Late on 21 March, Admiral Moorer instructed CINCPAC that the US position in reply to the North Vietnamese proposal was as follows:

The US will complete the withdrawal of its military forces from South Vietnam in accordance with the terms of the [Vietnam] agreement and coincident with the release of all, repeat all American prisoners held throughout Indochina.

Admiral Moorer specifically directed CINCPAC not to begin withdrawal of remaining US troops in South Vietnam until two conditions were met: (1) US receipt of "a complete list" of all US prisoners, including those held by the Pathet Lao, with times and places of release; (2) the actual transfer to US custody of the first contingent of the last group of US prisoners. Once those conditions were fulfilled, and assuming the first US prisoners were freed on 25 March, CINCPAC was authorized to begin carefully staged US deployments during the period 25 through 28 March. Should difficulties arise, all withdrawals would cease until further notice.⁹⁷

⁹⁶. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (U) p. G-25.

⁹⁷. Ibid. NY Times, 22 Mar 73, 13. (TS) Msg, JCS 4319 to CINCPAC (info COMUSMACV), 220036 Mar 73.

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(U) The US Delegation presented this new position at a FPJMC meeting on 22 March 1973, asking for time and place of the release of US prisoners in Laos, and stating that withdrawal of the remaining US forces from South Vietnam would be delayed until the requested information was supplied. The North Vietnamese, however, rejected the US position, asserting that the question of prisoners in Laos was not part of the Vietnam agreement.⁹⁸

(C) Later, on 22 March 1973, Admiral Moorer instructed General Woodward to seek a private meeting with his North Vietnamese counterpart in the Joint Military Commission. "Our basic concern," the Admiral said, "is the release of the prisoners and we do not object to the PLF [Pathet Lao] playing the central role as long as the men are returned to us." The United States wanted precise information and understanding on the times and places of release of all prisoners. It must have assurances, the Chairman continued, either privately through the Four-Party Joint Military Commission or through other channels, that the US prisoners in Laos would be released by 28 March before it would guarantee completion of the US withdrawals.⁹⁹

(U) A complete impasse ensued for the next several days. North Vietnam refused additional information on the prisoner release and added a further demand that the US Marine security guards at the US Embassy compound in Saigon be included in the final withdrawal. The United States meanwhile continued the holdup troop withdrawals, and on 25 March 1973 the White House Press

98. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (U) p. G-25. NY Times, 22 Mar 73, 13; 23 Mar 73, 1.

99. (S) Msg, JCS 5706 to Ch, US Del, FPJMC, 230459Z Mar 73.

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Secretary released a Presidential statement that US forces would remain in South Vietnam until all prisoners of war were released.¹⁰⁰

(U) On 26 March 1973, General Woodward met privately with Major General Le Quang Hoa, the Chief of the North Vietnamese delegation to the Four-Party Joint Military Commission. General Woodward presented the US position as expressed by Admiral Moorer and the President. In response General Hoa insisted that the language of the Vietnam agreement did not justify linking troop withdrawals with the return of US prisoners held in Laos. He did, however, acknowledge the private US-North Vietnamese understanding on this matter and stated that North Vietnam was attempting to resolve the problem with the Pathet Lao.¹⁰¹

(U) At General Hoa's request, he and General Woodward met again later on 26 March. The North Vietnamese delegate announced that the Pathet Lao had agreed to return the US prisoners. To maintain the appearance that the release resulted from US-Pathet Lao negotiations and was not part of the Vietnam agreement, the Four-Party Joint Military Commission would not participate in the release; rather a Pathet Lao representative would turn over the prisoners to a US reception team in Hanoi. General Hoa added that North Vietnam and the PRG would free their remaining prisoners in groups on the successive days, 27, 28, and 29 March and that the North Vietnamese delegation to the Four-Party Commission would end its activities in South Vietnam and return to Hanoi on 29 March. In reply, General Woodward

100. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (U) p. G-25. NY Times, 23 Mar 73, 1; 24 Mar 73, 1; 25 Mar 73, 1; 26 Mar 73, 1.

101. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (U) p. G-25.

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promised that all remaining US military personnel would be redeployed from South Vietnam within 72 hours of the resumption of the prisoner release. Presidential Press Secretary Ronald Ziegler immediately announced this agreement at the winter White House in Florida, stating that the President had instructed the Secretary of Defense to proceed with the withdrawal of US forces from South Vietnam. "This does and will," Mr. Ziegler declared, "end US military presence in Vietnam."¹⁰²

(C) Accordingly, on 27 March 1973, the PRG freed the last increment of US prisoners in its custody, including 27 military personnel and five civilians; on the following day, 28 March 1973, the Pathet Lao released seven US military personnel, two US civilians, and one Canadian civilian in Hanoi and North Vietnam turned over to United States 40 military prisoners; and on 29 March 1973, North Vietnam freed the last remaining 67 US military prisoners. During this same period the People's Republic of China released three US prisoners, two military and one civilian, and on 1 April 1972 the PRG released a final US military prisoner in Vinh Binh Province of South Vietnam.¹⁰³

(U) As the first planeload of freed US prisoners took off from Gia Lam Airfield in Hanoi on 27 March 1973, the first planeload of the last increment of US military personnel in South Vietnam departed from Tan Son Nhut Air Base in Saigon for the United States. Some 937 US troops redeployed from South Vietnam on

^{102.} (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (U) pp. G-25, H-3. NY Times, 27 Mar 73, 1.

^{103.} (TS-NOFORN) CINCPAC Command History, 1973, (C) pp. 602-603. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (U) p. G-25.

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27 March, 1,745 on 28 March, and 2,578 on 29 March with the last plane lifting off Tan Son Nhut at 1735 local time. Now, at last, the long and controversial US military involvement in Vietnam had ended. The only US military forces remaining in South Vietnam comprised 583 US members of the Four-Party Joint Military Commission, who would leave in the next several days; 159 US Marine Corps security guards at the US Embassy; and 50 military personnel who remained as part of the US Defense Attache Office in Saigon.¹⁰⁴

(U) With the departure of the last US military personnel from South Vietnam on 29 March 1973, the United States Military Assistance Command, Vietnam, was disestablished. General Weyand presided over the furling of the colors. "Our mission has been accomplished," he proclaimed. "I depart with a strong feeling of pride in what we have achieved, and in what our achievement represents." Admiral Moorer sent a message that was read at the ceremony. He expressed "gratitude" and "admiration" to all who had served in the armed forces in Vietnam and lauded the mission of the Command and the "courageous actions" of its members. Thus at 291100Z March 1973, the US Military Assistance Command passed out of existence, ending its eleven-year history.¹⁰⁵

104. (TS-NOFORN) CINCPAC Command History, 1973, (C) pp. 602-603. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (U) pp. G-25, H-3. (S-NOFORN) NMCC OPSUMS 71-73, 28 Mar 73; 72-73, 29 Mar 73; and 73-73, 30 Mar 73. NY Times, 28 Mar 73, 1; 29 Mar 73, 1; 30 Mar 73, 1.

105. Msg, COMUSMACV to JCS and CINCPAC, 290915Z Mar 73, JCS IN 89925. (C) Msg, JCS 1002 to COMUSMACV, 280014Z Mar 73. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (U) p. H-1. NY Times, 30 Mar 73, p. 1.

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(C) Upon the termination of USMACV, all residual US military responsibilities in South Vietnam were assumed by the Defense Attache Office, Saigon. Planned the previous November and activated on 28 January 1973,¹⁰⁶ this office was charged with traditional attache duties as well as supervision and coordination of US military assistance and advice to the RVNAF. On 6 March 1973, the JCS had approved a final joint table of distribution for the Defense Attache Office and provided the Secretary of Defense a summary of organizational changes in the Office since activation. This final structure remained within the personnel ceilings of 50 US military and 1,200 Department of Defense civilians previously approved by the Secretary of Defense. At that same time, the Joint Chiefs of Staff agreed that the term Defense Attache Office would be used in lieu of the Defense Resource Support and Termination Office. Operational command of the Office, which had been under COMUSMACV since its creation, passed to COMUSSAG/7AF upon the MACV disestablishment.¹⁰⁷

(U) The remaining forces of the Free World nations that had assisted the United States and the Republic of Vietnam also redeployed from South Vietnam in the 60-day period following signature of the Vietnam agreement. The Republic of Korea Forces, Vietnam (ROKFV), was the only Free World element of any size still in Vietnam on 27 January 1973 and withdrawal of those troops began on 30 January 1973. Removal of the

¹⁰⁶. See p. 727.

¹⁰⁷. (S) JCSM-93-73 to SecDef, 6 Mar 73, Encl A to JCS 2339/360-22, 2 Mar 73; (C) Msg, JCS 1298 to SecDef et al., 070205Z Mar 73 (derived from JCS 2339/360-22); JMF 907/305 (27 Oct 72) sec 3.

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ROK forces was not linked to prisoner exchange, and the redeployment proceeded uninterrupted. By 23 March 1973, when the withdrawal was completed, 35,396 ROK forces had departed South Vietnam. On 2 March 1973, both the Thai and Philippine elements (31 and 57 strong, respectively) redeployed from South Vietnam, and the departure of the Republic of China contingent (a total of 31 personnel) in two increments on 12 and 26 March 1973 completed the withdrawal of the Free World military forces from South Vietnam.¹⁰⁸

Extension of the Four-Party Joint Military Commission

(U) As provided in the Vietnam agreement, the Four-Party Commission was to end its activities within 60 days of the signature of the document and, in the interim, the two South Vietnamese parties were to establish a Two-Party Joint Military Commission to carry on necessary measures to guarantee the cease-fire in South Vietnam. But the Two-Party Commission had not come into being, and in mid-March, US officials considered the possibility of continuing the Four-Party Joint Military Commission, at least briefly, to oversee the cease-fire until the Two-Party Commission was functioning.

(C) On 12 March 1973, officers of the Southeast Asia Branch of the Plans and Policy Directorate (J-5) of the Joint Staff had requested Admiral Moorer to initiate action to extend the operations of the Four-Party Commission. Even though the overall effectiveness of the Commission in dealing with cease-fire

108. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (U) p. H-5 - H-6.

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violations had been poor, the J-5 officers believed that the Central Four-Party Commission in Saigon remained the only open forum for discussion among the participants and, as such, allowed the United States an opportunity to protest cease-fire violations. Moreover, extension of the Commission would continue the essential cease-fire mechanism until the Two-Party Commission was organized; would allow a legal US military presence throughout South Vietnam; would ensure more time to resolve the status of missing personnel; would give continued stability to the International Commission for Control and Supervision until it was fully staffed and operational; and would bolster wavering Canadian participation on the International Commission.¹⁰⁹

(C) Admiral Moorer sought the views of both CINCPAC and COMUSMACV on such an extension, and neither commander was enthusiastic. General Weyand pointed out the ineffectiveness of the Four-Party Commission to date and stated that the advantages as compared with the disadvantages did not warrant any extension. CINCPAC concurred, generally, with General Weyand though he did wonder how matters of four-party interest would be addressed once the Commission was terminated.¹¹⁰

(C) The Acting Assistant Secretary of Defense (International Security Affairs), officials of the Department of State, and Dr. Kissinger, on the other hand, all favored extension of the Four-Party Joint Military Commission. As Acting Assistant Secretary of

¹⁰⁹. (S) J5M 358-73 to CJCS, 12 Mar 73, J-5 Action Officer Files.

¹¹⁰. (TS) Msg, JCS 3656 to COMUSMACV, CINCPAC, and Ch USDel, FPJMC, 132319Z Mar 73. (TS) Msg, COMUSMACV to CJCS, 141000Z Mar 73, JCS IN 57407. (C) Msg, CINCPAC to CJCS, 160200Z Mar 73, JCS IN 63083.

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Defense Lawrence Eagleburger explained to Secretary Richardson on 15 March, the impetus behind an extension centered on maintenance of a mechanism whereby the United States could "continue to nudge the other parties toward a more effective cease-fire." Mr. Eagleburger did admit that "a less institutionalized approach" might work although he favored extension of the Four-Party Commission as a better solution. But the mechanism itself was unimportant; the principal objective was to continue US pressure for "a controlled viable cease-fire."¹¹¹

(TS) In the meanwhile, at Dr. Kissinger's direction, Admiral Moorer sent Lieutenant General George M. Seignious, USA, Director of the Joint Staff, to Vietnam on 16 March. The purpose of the trip was to discuss with Ambassador Bunker and Generals Weyand and Woodward the need for meticulous US and GVN observance of the cease-fire agreement as well as the possibility of continuing the Four-Party Joint Military Commission. General Seignious found all three US officials "lucidly" aware of "the larger perception of higher authority's resolve and the need for clean hands" concerning the cease-fire. With regard to extension of the Four-Party Commission, he identified three problem areas: (1) the failure of North Vietnam and the PRG, for political reasons, to deploy personnel for the Commission; (2) President Thieu's lack of support for the Commission, "again for political reasons," because he wanted to deny the North Vietnamese and the PRG access to the press; (3) President Thieu's policy of appointing "low caliber" senior RVNAF officers to the Commission with little authority to negotiate. General Seignious

¹¹¹. (S) Memo, ASD(ISA) to SecDef, "Extension of the Four-Party Joint Military Commission (U)," 15 Mar 73, OSD Files.

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also reported that both Generals Weyand and Woodward were prepared to support extension of the Four-Party Commission for "a limited period" though they were not optimistic about its chances for future success.¹¹²

(C) During this same period, Ambassador Bunker met several times with President Thieu to discuss possible extension of the Four-Party Commission. The South Vietnamese president, however, showed "no enthusiasm" for the proposal. Seeing little advantage for the allied side, he cited his belief that his government had been the "loser" thus far in the cease-fire. He pointed out the continuing communist infiltration of men and weapons into South Vietnam, the major violations by the other side, and the "ridiculously" small number of military and civilian Vietnamese "detainees" returned by the communists.¹¹³

(C) On 27 March 1973, General Woodward informed COMUSMACV that North Vietnam had already redeployed 42 of its Four-Party Commission personnel to Hanoi and planned to withdraw 80 more during the next two days. Current plans called for a 29 March rollup of the US personnel with the Commission regional teams

112. (TS) Msg, COMUSMACV (LTG Seignious) to CJCS, 190903Z Mar 73, JCS IN 68847. (TS-EX) Memo for Record by LTG Seignious, "Discussions in Saigon on the Continuance of the Four-Party Joint Military Commission (Four-Party JMC) After X+60 (S)," 21 Mar 73; (TS) J-5 Point Paper for DJS for a Trip to SEA (16-22 Mar 73), "Cease-fire and FPJMC (U)," n.d.; J-5 Action Officer Misc Files.

113. (S) Msg, Saigon 8342 to State, 191111Z Mar 73, JCS IN 69998. (S) Msgs, Saigon 4463 to State, 211251Z Mar 73; Saigon 4836 to State, 230943Z Mar 73; J-5 Action Officer Files. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (U) p. G-25.

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and redeployment to Saigon on 30 and 31 March for onward movement. General Woodward would have to begin action to implement these plans on 28 March and he intended to do so unless otherwise directed. The United States, apparently, still had not ruled out a continuation of the Four-Party Commission, for, later on 27 March, the Joint Chiefs of Staff provided CINCPAC planning guidance in the event of an extension after the disestablishment of MACV. The following day, however, the United States abandoned further efforts to extend the Commission. The Joint Chiefs of Staff directed CINCPAC to redeploy the US Delegation; in the period between the disestablishment of MACV and the final departure of the US Delegation personnel, the military chain of command for the Delegation would be directly through CINCPAC.¹¹⁴

(U) Some members of the US Delegation to the Four-Party Joint Military Commission did depart with the other US military personnel during 27-29 March 1973. As previously mentioned, 583 remained when the main US withdrawal was completed on 29 March; these personnel left on 30 and 31 March, and the US Delegation to the Four-Party Joint Military Commission was disestablished at 1900, Saigon time, on 31 March 1973. Now all US military personnel had departed South Vietnam except for 50 with the Defense Attache Office and the US Marine Corps security guards for the US Embassy. During the same two-day period, 30-31 March, US aircraft flew the last elements of the North Vietnamese

¹¹⁴. Msg, Ch, US Del, FPJMC to COMUSMACV, 270845Z Mar 73, JCS IN 85228. (S) Msg, JCS 9875 to CINCPAC, 272206Z Mar 73. Msg, JCS 1680 to CINCPAC, 281444Z Mar 73.

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delegation to the Four-Party Commission back to Hanoi.¹¹⁵

(S) As one of its last actions, the Four-Party Joint Military Commission agreed on 28 March 1973, in accordance with the Vietnam agreement, to establish a Four-Party Joint Military Team (FPJMT) to resolve the status of missing personnel, to determine the location of grave sites, and to arrange repatriation of remains. Accordingly, on 31 March 1973, the Joint Chiefs of Staff authorized a US Delegation to the Four-Party Joint Military Team under the Defense Attache Office, Saigon, and that Delegation, consisting of 14 US military personnel, became operational on 2 April 1973.¹¹⁶

Mine Clearance Operations

(U) The final task for the United States in the implementation of the military aspects of the Vietnam agreement was clearance of US mines in North Vietnamese waters.¹¹⁷ As related in Chapter 12, the United States had anticipated this responsibility well before the final agreement was reached. CINCPAC had prepared

^{115.} (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (U) pp. G-25 - G-28, H-3.

^{116.} (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (U) p. G-26. (C) Msg, JCS 5617 to CINCPAC, 311812Z Mar 73. Msg, Ch, US Del, FPJMT to DAO Saigon, 020320Z Apr 73, JCS IN 96452. (S-NOFORN) NMCC OPSUM 75-73, 2 Apr 73. (S-EX) Final Rpt of US Del, Four-Party Joint Military Commission, n.d., Att to JCS 2472/873, 20 Jun 73, JMF 911/533 (20 Jun 73).

^{117.} Protocol to the Agreement on Ending the War and Restoring Peace in South Vietnam Concerning the Removal, Permanent Deactivation, or Destruction of Mines in the Territorial Waters, Ports, Harbors, and Waterways of the Democratic Republic of Vietnam, 27 Jan 73, Weekly Compilation of Presidential Documents, 29 Jan 73, pp. 63-64. (Hereinafter cited as Protocol on Mine Clearance.)

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a mine countermeasures plan and the Joint Chiefs of Staff had ordered movement of three ocean minesweepers (MSOs) to Hawaii and had positioned Helicopter Minesweep Squadron 12 (HM-12) in Subic Bay, the Philippines. Until the time of the agreement, however, these forces were not allowed to assemble, test, or tow their airborne sweeping gear.¹¹⁸

(TS) Once the final agreement was complete, Admiral Moorer asked the Secretary of Defense on 24 January 1973 for authority to move the three MSOs at Hawaii on to WESTPAC for employment in the mine clearance operations and to begin training with the airborne gear. The Secretary agreed that same day, and the Joint Chiefs of Staff dispatched the necessary directives to CINCPAC, changing the name of the operation from FORMATION SENTRY II to END SWEEP. The following day, 25 January, the Joint Chiefs of Staff directed execution of END SWEEP effective 272359Z January 1973. They instructed CINCPAC to clear major North Vietnamese ports "to 99 percent level." Safety of mine countermeasure forces was "the paramount consideration" and all possible precautions were to be taken to avoid North Vietnamese civilian casualties. United States forces, the Joint Chiefs of Staff continued, were to initiate "no overt hostile action" although they should be "alert" and "prepared for hostile attack."¹¹⁹

¹¹⁸. See Chapter 12, pp. 652-655.

¹¹⁹. (TS) CM-2456-73 to SecDef, 24 Jan 73; (TS) CM-2457-73 to SecDef, 24 Jan 73 (handwritten notation of SecDef approval is contained on draft msgs attached to both CMs); CJCS File 091 Vietnam, Jan 73. (C) Msg, JCS 6913 to CINCPAC, 241522Z Jan 73. (TS) Msgs, JCS 7572 and 7579 to CINCPAC, 250110Z and 250115Z Jan 73. (TS-EX) Msg, JCS 8280 to CINCPAC, 271705Z Jan 73.

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(TS) The mine clearance protocol set forth the broad outline for the clearance operations, but many technical arrangements and details remained to be resolved. To that end, the protocol provided that US and North Vietnamese representatives should meet at "an early date" to agree on a program and plan of implementation, and technical talks began in Paris immediately after the final agreement on 23 January 1973. These talks were conducted by the mine experts, who had negotiated the clearance protocol, under the supervision of US Deputy Assistant Secretary of State William H. Sullivan, the head of the US Delegation in Paris after Dr. Kissinger returned to Washington with the completed agreement, and North Vietnamese Deputy Foreign Minister Nguyen Co Thach. One of the US technical experts was Commander B. B. Traweck, USN, of the Operations Directorate (J-3) of the Joint Staff.¹²⁰

(TS) During the consultations in Paris, the United States supplied the North Vietnamese a sanitized version of the mine clearance operations plan and informed them that execution would begin on 27 January. The first US minesweepers should be in the Haiphong area to conduct "exploratory precursor" operations by 3 February and actual clearance in Haiphong waters was expected to begin within "30 days after 27 January." The US experts estimated that the Haiphong waters could be cleared for shipping within 70 days of the signature of the Vietnam agreement and that sweeping of all coastal areas would be finished within 180 days of that same date. A final date for completion of all sweeping as required by the Protocol could not be

¹²⁰. Protocol on Mine Clearance. (TS-EX) Msg, JCS 1400 to US Del France (CJCS to DepAsst SecState Sullivan) (info CINCPAC), 271853Z Jan 73. RADM Brian McCauley, USN, "Operation END SWEEP," US Naval Institute Proceedings, Mar 74, p. 21.

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determined until various information on inland waters was supplied by North Vietnam. Finally, the United States gave the North Vietnamese charts showing the areas seeded with mines in both coastal and inland waters and the "general" characteristics of the magnetic mines and destructors used.¹²¹

(S) By 27 January, Admiral Moorer was convinced that the technical talks in Paris had fulfilled their usefulness and should be moved closer to the scene of actual operations. Accordingly, with the concurrence of Dr. Kissinger, he proposed to Deputy Assistant Secretary Sullivan that the technical discussions be concluded in Paris as quickly as possible with arrangements to continue the meetings in Southeast Asia. The senior US representative at the relocated meetings would be Rear Admiral Brian McCauley, USN, who would be responsible for the conduct of the actual clearing operations. Admiral McCauley would be empowered with full authority to make necessary decisions on division of responsibility for clearing inland waterways by segments, on allocation and delivery to North Vietnam of available technical equipment, on assignment of technical advisers, and on commencement and estimated completion dates. Deputy Assistant Secretary Sullivan presented this proposal in Paris, and it was accepted. Initial sessions in Vietnam were held in the Four-Party Joint Military Commission at Saigon, but almost immediately it was decided to meet alternately in Haiphong and on board a US Navy ship off Haiphong. In guidance for the US members of the Four-Party Commission while

¹²¹. (TS-EX) Msg, JCS 1562 to CINCPAC, 280126Z Jan 73. (TS-EX) Msg, JCS 1567 to COMUSMACV (for MG Woodward), 280139Z Jan 73. (C-EX) Msg, JCS 5932 to CINCPAC, 011755Z Feb 73.

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these arrangements were being worked out, the Joint Chiefs of Staff directed: "We must keep pressing hard for agreement on commencement of these discussions. It is imperative that the record show that delays in starting have been occasioned solely by failure of DRV to respond to US initiatives." On 5 February, Admiral McCauley and a 14-man staff flew to North Vietnam for the discussions at the alternating sites. These meetings continued throughout the time the United States was carrying out actual mine clearing operations.¹²²

(S) On 30 January 1973, when the Joint Chiefs of Staff informed CINCPAC of the decision to move the mine clearance discussions to Vietnam, they advised him the sweeping should begin as soon as feasible and no later than 9 February. They explained that, since North Vietnam had already been informed that the US mine-sweepers would arrive in the vicinity of Haiphong about 3 February, commencement of actual operations could not be delayed much beyond that date. The Joint Chiefs of Staff also told CINCPAC that initial sweep operations should be in an area other than the Haiphong channel or its approaches, should provide "high visibility" to North Vietnam, and should show "some results (i.e., detonations) during sweeping." Subject to North Vietnamese concurrence, the Joint Chiefs of Staff suggested minefield segment 2111D in the vicinity of Hon Gai as meeting the initial requirements. Subsequently, on 1 February, the Joint Chiefs of Staff

¹²². (S-EX) Msg, JCS 1400 to US Del France (CJCS for DepAsstSecState Sullivan) (info CINCPAC), 271853Z Jan 73. (S-EX) Msg, US Del France 2080 (DepAsstSecState Sullivan) to JCS, 272200Z Jan 73, JCS IN 57933. (S) Msg, JCS 3538 to CINCPAC, 301519Z Jan 73. (S-EX) Msg, JCS 7373 to CINCPAC, 022044Z Feb 73. McCauley, "Operation END SWEEP," Proceedings, Mar 74, p. 21.

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revised this guidance, directing CINCPAC to begin initial sweeping with ocean minesweepers off Haiphong to provide an operating area for US vessels engaged in the mine clearance. Such operations should not commence until establishment of mutually agreeable conditions with North Vietnam, but must start not later than 9 February 1973. Should sweeping of this operating area be completed before the arrival of airborne mine clearance units on about 27 February, authorization was granted for MSO check sweeping along the approaches to Haiphong channel though remaining well clear of the channel itself. Sweeping in the channel was tentatively scheduled to begin about 27 February and take approximately 40 days for completion in accordance with the estimate already given the North Vietnamese in Paris. The Joint Chiefs of Staff directed CINCPAC not to reveal to the North Vietnamese the progress or completion of the sweeping in the vicinity of Haiphong until so authorized by the Chairman of the Joint Chiefs of Staff.¹²³

(S) On the following day, 2 February, the Joint Chiefs of Staff supplied CINCPAC with guidance for the forthcoming discussions with North Vietnam on the clearance operations. They reiterated that the safety of US personnel, ships, and equipment was of primary importance and stated that US positions should be firmly adhered to even in the face of North Vietnamese threats to report US intransigence. Moreover, the Joint Chiefs of Staff directed that, under no circumstances, would US personnel indicate 100 percent confidence in clearance of any minefield or area. With

123. (S) Msg, JCS 3538 to CINCPAC, 301519Z Jan 73.
(S-EX) Msg, JCS 5927 to CINCPAC, 011751Z Feb 73.

regard to the timing of the operations, the Joint Chiefs of Staff reconfirmed the information previously provided North Vietnam during the Paris discussions: operations in Haiphong channel would begin on or about 27 February (X+30), and should be completed in 40 days (X+70), pending the release of all US prisoners; all clearance of coastal areas should be finished within 180 days of the signature of the Vietnam agreement; and a target date for completion of all mine countermeasure operations would await "firm agreement" with North Vietnam on details or clearance of inland waters. Further, the Joint Chiefs of Staff instructed CINCPAC to ensure that North Vietnam was held to its commitment, as stated in the Protocol, to participate to the extent of its capabilities in the clearance of the inland waters.¹²⁴

(C) In the meantime, CINCPACFLT had requested authority to operate US ships and aircraft, including a CVA, in international waters of the Gulf of Tonkin above 16°50' north for logistical support of the mine countermeasure operations. This was, of course, in contradiction to the Joint Chiefs of Staff general cease-fire directive¹²⁵ that had ordered the withdrawal of all US Navy surface vessels to waters below 16° 50' north. CINCPAC supported the request, but in submitting it to the Chairman of the Joint Chiefs of Staff, the Joint Staff was reluctant to recommend the movement of a carrier to the Gulf of Tonkin at that time. Admiral Moorer, however, had no such hesitancy and granted approval on 2 February 1973. He told CINCPAC that he understood fully the need to operate

¹²⁴. (S-EX) Msg, JCS 7007 to CINCPAC, 021454Z Feb 73.

¹²⁵. See above, p. 711.

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US Navy ships and aircraft, including a CVA, off North Vietnam for logistical support of the mine clearance operations, adding that the mine countermeasures plan given to the North Vietnamese provided for such support. Before movement of the forces, including the carrier, into the Gulf of Tonkin, Admiral Moorer directed that North Vietnam be informed though without requesting concurrence. Finally, the Chairman did not believe a CVA should be committed indefinitely to these support activities. When suitable arrangements could be made for use of support facilities and airfields in North Vietnam, he continued, it might be "feasible and desirable" to withdraw the CVA.¹²⁶

(C) Now the US mine countermeasure forces began to assemble in the Gulf of Tonkin. Four ocean mine sweepers arrived and began initial sweeping on 7 February in waters off Haiphong to prepare anchorage for the amphibious assault ships and amphibious transport docks of the END SWEEP force.¹²⁷ Subsequently, at the request of the Navy, the Deputy Secretary of Defense approved diversion of two reserve ocean mine-sweepers to the active fleet to assist in the mine clearance off North Vietnam, and the Joint Chiefs of Staff ordered those ships to WESTPAC on 13 February 1973. Meantime, training of US air mine countermeasure forces progressed in the Subic Bay. Those forces began moving to the Gulf of Tonkin on 23 February. On that date, the Joint Chiefs of Staff told CINCPAC of a message sent by "the White House"

126. (S) J3M 215-73 to CJCS, 31 Jan 73, CJCS File 091 SEA, Jan-Apr 73. (S) Msg, JCS 7385 to CINCPAC, 022050Z Feb 73.

127. According to Admiral McCauley, the sweeping began on 6 February. McCauley, "Operation END SWEEP," Proceedings, Mar 74, p. 21.

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to North Vietnamese authorities advising of US readiness to conduct nearly simultaneous sweeping operations in the ports of Haiphong, Cam Pha, and Hon Gai. On the following day, 24 February 1973, CINCPACFLT reported that surface and airborne mine countermeasure forces were ready to execute END SWEEP. Those forces were designated Task Force 78 under the command of Rear Admiral Brian McCauley, USN, and included 20 ships as well as various escorts.¹²⁸

(S) On 27 February, Task Force 78 helicopters conducted the first airborne mission of Operation END SWEEP, making aerial sweeps of the main Haiphong channel. This action marked the first time the United States had employed airborne countermeasures against actual mines in an operational situation. As already related, the United States and North Vietnam reached an impasse on prisoner release that same day and the United States suspended both troop withdrawals and mine clearance. Accordingly, the Joint Chiefs of Staff instructed CINCPAC to recover all END SWEEP personnel ashore in Haiphong and, upon their recovery,

^{128.} (TS-NOFORN) CINCPAC Command History, 1973, pp. 230-231. McCauley, "Operation END SWEEP," Proceedings, Mar 73, pp. 21-22. (TS) Memo, DepSecDef to SecNavy, "Use of Reserve Minesweepers (U)," 27 Jan 73, CJCS File 091 Vietnam, Feb 73. (TS) Msg, JCS 8364 to CINCPAC, 132005Z Feb 73. (TS-EX) Msg, JCS 1299 to CINCPAC, 232355Z Feb 73.

Task Force 78 consisted of two amphibious assault ships (LPH), three amphibious transport docks (LPD), ten MSOs, one salvage ship (ARS), two fleet ocean tugs (ARF), one tank landing ship (LST), one submarine rescue ship (ASR), six explosive ordnance disposal (EOD) detachments, one underwater demolition team (UDT) detachment, two tactical air control squadron (TACRON) detachments, and four air mine countermeasures (AMCM) units. See (C) J3M-253-73 to CJCS, 5 Feb 73, CJCS File 091 Vietnam, Feb 73.

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to suspend all operations connected with END SWEEP. The US mine countermeasure forces were to get underway and remain approximately 100 miles from Haiphong.¹²⁹

(TS) As described above,¹³⁰ the prisoner snarl was quickly resolved and late on 1 March 1973, the Joint Chiefs of Staff revoked the suspension of the mine clearance operations. They directed the return of END SWEEP forces to previous positions in the Haiphong area in readiness to resume operations. The JCS directive to resume END SWEEP was issued on 3 March and actual sweeping in the main Haiphong channel began again on 6 March. Because the North Vietnamese wanted all forces to clear the Haiphong channel, there was some delay in initiating clearance in the waters of Cam Pha and Hon Gai and operations in those ports did not begin until two weeks after the resumption of the Haiphong sweeping. Thereafter, operations in the three ports proceeded apace, and by 2 April, when all US prisoners had been returned and all US military forces had departed from South Vietnam, the Joint Chiefs of Staff relaxed their earlier restriction concerning the release of information to the North Vietnamese on the progress of the clearance.¹³¹

129. (TS-EX) Msg, JCS 3889 to CINCPAC, 271859Z Feb 73. (TS-NOFORN) CINCPAC Command History, 1973, pp. 230-231, 234. McCauley, "Operation END SWEEP," Proceedings, Mar 74, p. 22.

130. See above pp. 744-745.

131. (TS-EX) Msgs, JCS 9698 and JCS 6670 to CINCPAC, 020307Z and 021912Z Mar 73. (S) Msg, JCS 7881 to CINCPAC, 031842Z Mar 73. (S) Msg, JCS 6574 to CINCPAC, 021456Z Apr 73. For operational aspects of END SWEEP, see (S) Ctr for Naval Analysis Study CRC 277, "Operation END SWEEP," Feb 75, Operational Archives, Naval Historical Center.

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(TS) Despite this early progress, the END SWEEP operations did not proceed smoothly. Because of repeated North Vietnamese violations of the Vietnam agreement, the United States suspended mine clearance operations on 16 April 1973. Again, the Joint Chiefs of Staff directed recovery of all US END SWEEP personnel from Haiphong and cessation of all mine clearance operations. A few days later, on 22 April, they authorized the return of Task Force 78 to Subic Bay, while maintaining sufficient forces to enable resumption of sweeping in North Vietnamese waters within 48 hours. Subsequently, on 11 May 1973, they relaxed this time requirement to 72 hours.¹³²

(U) In late May and early June 1973, Dr. Kissinger and Le Duc Tho held a series of conversations in Paris to review the situation in Vietnam and consider measures to ensure more effective implementation of the Vietnam agreement. These talks culminated in a joint communique signed in Paris on 13 June 1973 by the United States and North Vietnam as well as the Republic of Vietnam and the Provisional Revolutionary Government. In a procedure patterned after the one used for the 27 January 1973 Vietnam agreement, the communique was signed in two versions, one by the United States and North Vietnam and one by all four parties to the Vietnam dispute. With respect to mine clearance, the United States pledged in the communique to resume the operations within five days and to complete them 30 days thereafter. The United States was also to supply North Vietnam with means "which are agreed to be

¹³². (TS-EX) Msg, JCS 2636 to CINCPAC, 161952Z Apr 73. (S) Msg, JCS 8490 to CINCPAC, 221413Z Apr 73. (S) Msg, JCS 7713 to CINCPAC, 111202Z May 73. NY Times, 20 Apr 73, 1.

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adequate and sufficient for sweeping mines in rivers" and to announce when all operations were finished.¹³³

(TS) In accord with the communique, the Joint Chiefs of Staff directed CINCPAC on 13 June to return the END SWEEP forces to the Gulf of Tonkin in readiness to resume operations not later than five days after receipt of their directive. Actual resumption of the sweeping was dependent upon receipt of appropriate concurrence from North Vietnam. This clearance was duly obtained, and the sweeping began on 18 June 1973.¹³⁴

(C) When END SWEEP resumed on 18 June 1973, the great majority of US mines in North Vietnamese waters had already passed their self-destruct dates, and Task Force 78 personnel believed that any remaining would be inert and totally deactivated. As a result, all sweeping after 18 June was exploratory only, a much less time consuming process than full sweeping. When operations had been suspended in April, the clearance of Haiphong channel was complete except for final demonstration runs. These were now quickly carried out and North Vietnam was informed on 20 June 1973 that the Haiphong channel was open. Sweeps of the Hon Gai and Cam Pha channels were completed on 27 June, and Task Force 78 then moved south and, at North Vietnamese request, began sweeping Vinh, Quang Khe, and the Hon La coastal area. Clearance was finished by 5 July and only the major ports of Dong Hoi and Than

¹³³. Text of Joint Communique of 13 June 73, reproduced in NY Times, 14 June 73, 18. NY Times, 14 Jun 73, 1.

¹³⁴. (TS-EX) Msg, JCS 7782 to CINCPAC, 131515Z Jan 73. McCauley, "Operation End SWEEP," Proceedings, Mar 74, p. 22.

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Hoa and a number of small minefields remained to be swept in coastal waters. The United States sought North Vietnamese concurrence to proceed with operations in these remaining areas, but permission was refused. The North Vietnamese were concerned over the short time expended on clearance of the Vinh, Quang Khe, and Hon La waterways and questioned whether they were completely safe. To ensure a thorough job, they wanted those areas swept again. But the United States refused, stating that the areas were known to be safe, and explaining that the minefields had already sterilized in any event. A complete impasse ensued.¹³⁵

(C) On 14 July 1973, Admiral Moorer informed the Secretary of Defense of the deadlock in the mine clearance and pointed out that the time period allowed for these operations in the 13 June joint communique would elapse on 18 July. Therefore he proposed that the Commander of Task Force 78 deliver a statement to the North Vietnamese on 18 July indicating that the US mine clearance was complete and that US forces and vessels would be withdrawn. The Secretary of Defense approved, and on 17 July 1973 the Joint Chiefs of Staff directed execution of this course of action. Accordingly, Admiral McCauley informed the North Vietnamese orally on 18 July that the US mine clearance operations were complete and that the END SWEEP forces would leave North Vietnamese waters at 181130Z July. Simultaneously, a Department of Defense spokesman in Washington publicly announced the end of the minesweeping, and the US forces departed the North Vietnamese waters. Two

¹³⁵. McCauley, "Operation END SWEEP," Proceedings, Mar 74, p. 22. (S) CNA Study CRC 277, "Operation END SWEEP (U)," Feb 75, Operational Archives, Naval Historical Center.

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days later, on 20 July, the Joint Chiefs of Staff authorized CINCPAC to return all Task Force 78 assets to normal operational control.¹³⁶

(TS) The Vietnam agreement, the accompanying mine clearance protocol, and the 13 June joint communique all included provisions for US assistance to North Vietnam in clearing mines in inland waters, but no such operations were conducted. Admiral McCauley conducted long and tedious negotiations with the North Vietnamese on this matter, but could not resolve the issue. The United States did supply some equipment (bulldozers, trucks, and outboard motors) to North Vietnam for this purpose and trained 40 North Vietnamese in mine clearance methods in a special school set up near Haiphong. North Vietnam, however, did not want any US military personnel to participate in operations on the inland waterways but, rather, only requested more US equipment. Consequently, the United States did not conduct or supervise any sweeping in the inland waters of North Vietnam, and the official US statement announcing the end of END SWEEP disclaimed any further responsibility for sweeping mines in North Vietnamese inland waterways or rivers.¹³⁷

¹³⁶. McCauley, "Operation END SWEEP," Proceedings, Mar 74, p. 22. (TS-EX) CM-2799-73 to SecDef, 14 Jul 73; (TS) Fact Sheet, "US Obligations . . . for Concluding Mine Clearing Operations in the Waters of the Democratic Republic of Vietnam (U)," 18 Jul 73; CJCS File 091 Vietnam, Jul-Sep 73. (S) Msg, JCS 7483 to CINCPAC, 180302Z Jul 73; (TS) Msg, JCS 9948 to CINCPAC, 201405Z Jul 73. NY Times, 19 Jul 73, 3. ASD(PA) Briefing, 18 Jul 73, OASD(PA) Files.

¹³⁷. McCauley, "Operation END SWEEP," Proceedings, Mar 74, p. 22. (S) CNA Study CRC 277, "Operation END SWEEP," p. 17. (TS-EX) Msg, JCS 7604 to CINCPAC, 101739Z Mar 73. NY Times, 19 Jul 73, 3. ASD(PA) Briefing, 18 Jul 73, OASD(PA) Files.

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Concluding Reflections

(U) The completion of END SWEEP fulfilled the US military obligations incurred under the Vietnam agreement signed in January 1973 and marked the conclusion of US military involvement in Vietnam. The Vietnam war was now over. It was the longest war in US history, though the actual beginning is hard to pinpoint. One could date it from the first deaths in hostile action suffered by US military advisers in 1961, or from the US bombing of North Vietnam in retaliation for the Tonkin Gulf incident in 1964. In any event, the United States was engaged in combat some months before the overt commitment of US ground combat troops in the spring of 1965, and 45,942 members of the US Armed Forces lost their lives in Vietnam.¹³⁸

(U) The Vietnam conflict was also the most controversial of US wars. It fragmented US society, forced a President not to seek reelection, and placed severe strains on the relations between the United States and other countries. In addition, the political difficulties that attended the war limited the range of military options available to the Joint Chiefs of Staff and the field commanders in the conduct of operations. Moreover, because of the public opposition, US policymakers were reluctant to ask the nation to make extraordinary sacrifices to pay the cost of the conflict as had been the normal US practice in wartime. Rather, they chose to divert funds and resources from other military programs, where possible, thereby adversely affecting the entire US military position.

(U) The Vietnam war also provided a test of the streamlined command machinery set up by President Eisenhower in the reorganization of 1958. The chain

^{138.} (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (U) p. F-14.

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of command ran from the President and the Secretary of Defense through the Joint Chiefs of Staff and CINCPAC to COMUSMACV. The Joint Chiefs of Staff, in effect, functioned as the Secretary of Defense's operational staff and exercised "direction" of combat operations. For the first time, the Services were entirely eliminated from the chain of command. Additionally, improvements in communications technology, combined with the sensitive political issues involved in the war, resulted in an unparalleled degree of centralized control over the combat operations in Vietnam. Both Presidents Johnson and Nixon and their Secretaries of Defense carefully monitored operations in Vietnam, and this control often extended down to the tactical level, as in the requirement for approval of individual bombing targets in North Vietnam. Such close control was a marked departure from previous US practice where the theater commander was allowed a considerable degree of latitude in the conduct of operations.

(U) The Joint Chiefs of Staff were, of course, fully aware of the political side of the war in Vietnam. At no time did they lose sight of the purposes for which it was being fought. But there was room for disagreement with their civilian superiors about the best way to attain those purposes. In general, the Joint Chiefs of Staff were inclined to advocate the application of force in larger or more intensive increments than did the President and the Secretary of Defense, who, necessarily, had to be aware of the possible adverse political consequences of letting the military conflict get out of hand. Then, in the latter years of the war, as the United States withdrew its forces from Vietnam, the Joint Chiefs of Staff usually preferred smaller and slower troop

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reduction than those ultimately approved by the President. Thus during the Vietnam war, there was not quite the degree of harmony between civilian and military leaders that had, for the most part, been the rule during World War II and the Korean War. But needless to say, the Joint Chiefs of Staff never questioned the right of their civilian superiors to make the final decisions.

(U) At the conclusion of its military involvement in Vietnam in 1973, the United States appeared to have attained its objectives. The North Vietnamese invasion of the south, at least for the moment, had been halted, and the US prisoners of war had been returned. But, whether real and lasting peace had been established, and whether South Vietnam would be allowed the opportunity to determine its political future free of outside interference, only the future would tell.

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EPILOGUE

(U) On 29 March 1973, North Vietnam freed the final increment of US prisoners of war. Simultaneously, the last US combat troops departed South Vietnam. That evening, President Nixon addressed the American people:

For the first time in 12 years, no American military forces are in Vietnam. All of our American POW's are on their way home. The 17 million people of South Vietnam have the right to choose their own government without outside interference, and because of our program of Vietnamization, they have the strength to defend that right. We have prevented the imposition of a Communist government by force on South Vietnam.

(U) The President admitted, however, that problems remained. The most serious was the fighting that persisted in South Vietnam. As described in the preceding chapter the signing of the cease-fire agreement on 27 January 1973 had not brought peace, and fighting had continued throughout South Vietnam during the 60-day withdrawal of US forces. Nor did the completion of the US withdrawal bring any abatement in the level of conflict. The fighting continued, and North Vietnam proceeded with the infiltration of men and war materiel into the south. By mid-April 1973, intelligence reports estimated that such infiltration since the signing of the January agreement amounted to more than 400 tanks and armored vehicles, 300 artillery pieces, 27 tons of supplies, and 30,000 troops.²

1. Public Papers of the Presidents of the United States: Richard Nixon, 1973, (1975), p. 234.

2. See US note of protest to North Vietnam, 24 Apr 73, printed in NY Times, 25 Apr 73, 10.

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(U) The United States had warned North Vietnam about the continuing infiltration. On 15 March 1973, President Nixon publicly indicated his concern. "Based on my actions over the past four years," he said, "the North Vietnamese should not lightly disregard such expressions of concern." In his statement upon the completion of the US withdrawal on 29 March, the President again cautioned the North Vietnamese, stating that there should be no doubt of the consequences if they failed to comply with the agreement. Further, in late April, the United States formally protested the continuing infiltration into South Vietnam, charging that North Vietnam had set up antiaircraft guns in the south and surrounded Khe Sanh airfield with SAMs.³

(S) President Nixon and his advisers were also considering the possibility of stronger action against North Vietnam. In fact, as early as 21 February, the Joint Chiefs of Staff had directed CINCPAC to prepare contingency plans for possible air and naval strikes against North Vietnam.⁴ Then in April, the Washington Special Actions Group reviewed a number of possible measures against North Vietnam, and the Joint Chiefs of Staff alerted the field commanders to be prepared for possible bombing and mining operations in Vietnam.⁵

3. Public Papers, Nixon, 1973, pp. 205-206, 234. NY Times, 25 Apr 73, 10.

4. See Chapter 14, p. 762.

5. (TS-EX) Msgs, JCS 1854, 2705, and 4124 to CINCPAC and CINCSAC, 160244Z, 162133Z, and 172354Z Apr 73, CJCS File 091 Vietnam, Apr 73. (TS-EX) Msg, JCS 3361 to CINCPAC, 291948Z Apr 73, same file. (S) Untitled Paper discussing possible actions against NVN, n.d., bearing handwritten notation "Copy of paper [DepAsst-SecState] Sullivan handed HAK at the WSAG today" with penciled date 16 Apr 73, CJCS File 091 Vietnam, Apr 73.

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But in the end, President Nixon did not decide upon any military reprisals against North Vietnam, and the only resulting action was a JCS rejection of a CINCPAC recommendation to decrease US Navy MARKET TIME air patrols over the Gulf of Tonkin and the South China Sea. The reason cited by the Joint Chiefs of Staff was "the uncertainty in the current situation in Southeast Asia."⁶

(U) Moreover, it was soon apparent to all the world that even though President Nixon might wish to take military action against North Vietnam, the US Congress would not support him. Increasingly concerned over continuing US air strikes in Cambodia, Congress enacted legislation on 30 June cutting off funds, effective 15 August 1973, for all "combat activities by United States military forces in or over or from off the shores of North Vietnam, South Vietnam, Laos or Cambodia."⁷ The President's options for retaliation against North Vietnamese violations of the peace agreement were even further restricted when Congress passed the "War Powers Resolution" on 7 November 1973. This measure required the President to consult with Congress before introducing any US armed forces into hostile situations abroad.⁸

At a news conference on 29 Apr 75, at the time of the fall of South Vietnam, then SecState Kissinger confirmed the WSAG review of possible actions against NVN in April 1973. See Dept of State Bulletin, 19 May 75, p. 630.

6. (S) Msg, JCS 8617 to CINCPAC, 021616Z May 73 (derived from JCS 2472/865), JMF 911/332 (6 Apr 73). One explanation of the failure of President Nixon to decide upon stronger action was his preoccupation with the arising crisis caused by the Watergate scandal. See Guenther Lewy, America in Vietnam (1978), p. 204.

7. Public Law 93-52, 1 Jul 73.

8. Public Law 93-148, 7 Nov 73.

(U) In a different approach, President Nixon attempted to bring political pressure to bear on North Vietnam to ensure compliance with the peace agreement. Dr. Kissinger met in Paris with Le Duc Tho in May 1973 and again in June to discuss violations in the peace agreement. The result was a nine-point communique which called for a new ceasefire effective 141200Z June 1973 and compliance by all parties with the original agreement.⁹

(U) The new cease-fire, however, proved no more effective than the original. Some 108 breaches were reported within the first 24 hours with each side charging the other with responsibility for violations. Thereafter, in the following months, fighting was continuous in South Vietnam. By the beginning of November, intelligence analysts estimated North Vietnamese infiltration into South Vietnam since the previous January at more than 70,000 troops. Dr. Kissinger and Le Duc Tho met again in Paris during December to discuss the situation, but reached no agreement.¹⁰

(U) Meantime in October 1973, the North Vietnamese leaders had decided to pursue a "strategic offensive" against South Vietnam. Actual preparations for this offensive began in the spring of 1974 with plans for large scale attacks in 1975. In the interim, the North Vietnamese and Viet Cong forces stepped up their activities throughout the south.¹¹

9. Four Party Joint Communique, 13 Jun 73, printed in Dept of State Bulletin, 9 Jul 73, pp. 50-53.

10. Facts on File, 1973, pp. 482, 506-507, 556, 633, 662, 673-674, 781, 862, 882, 901, 920, 984, 1003, 1029, and 1072.

11. General Van Tien Dung, "Great Spring Offensive," Foreign Broadcast Information Service (FBIS) Daily Report, Asia and Pacific, 7 Jun 76 (Supp 38), pp. 1-47.

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(C) As the communists expanded their fighting in 1974, the United States progressively reduced its support for South Vietnam. During FY 1973, the United States had contributed \$2.27 billion for support of the RVNAF. For FY 1974, the Nixon Administration sought another \$1.6 billion, but Congress authorized only \$1.1 billion. This reduction brought predictions of dire consequences from the US military officers concerned. The US Defense Attache in Saigon reported in March 1974 that the RVNAF faced "a fuel and supply famine" while CINCPAC foresaw an "ominous situation in South Vietnam in the immediate future." More money was needed, he said, if serious deterioration in the RVNAF was to be averted, and the Joint Chiefs of Staff advised the Secretary of Defense on 28 May 1974 that the one-for-one replacement of RVNAF equipment losses, allowed under the January 1973 agreement, was no longer possible under the currently programmed funds.¹²

(C) Despite the pleas of the Nixon Administration, Congress did not approve additional FY 1974 funds for South Vietnam. In fact, for the succeeding year, it reduced the Vietnam assistance even further, authorizing only \$700 million for FY 1975 instead of the requested \$1.0 billion.¹³ To accommodate this reduction, stringent measures were implemented to reduce RVNAF operations and tighten its force structure. Numerous VNAF aircraft were deactivated and flying

12. (S) Msg, Joint State/Defense (State 029839) to US Emb and DAO, Saigon, 132251Z Feb 74, JCS IN 56343. (S) Msg, USDAO, Saigon to CINCPAC (info JCS), 030725Z Mar 74, JCS IN 80947. (S) Msg, CINCPAC to JCS, 120015Z Mar 74, JCS IN 92948. (S) JCSM-184-74 to SecDef, 28 May 74, Encl A to JCS 2472/884-2, 3 May 74, JMF 911/495 (6 Feb 74).

13. Public Law 93-437, 8 Oct 74.

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hours cut by half, and similar reductions were applied to the VNN. The United States also took actions to achieve maximum advantage of the funds available. Ammunition support for the RVNAF was provided from stocks in Okinawa, Japan, and other nearby locations in order both to expedite delivery and reduce transportation and handling costs. To achieve further savings, the Secretary of Defense directed an examination to identify non-essential costs in the Vietnamese assistance effort and possible reprogramming to transfer some charges to other programs.¹⁴

(C) The efforts of the South Vietnamese and the United States did little to halt the deteriorating military situation. By October 1974, the North Vietnamese had cleared the ARVN from northern Kontum Province and secured important roads in the Central Highlands. By December 1974, CINCPAC saw the enemy threat in South Vietnam as the most serious to date. Enemy troops in the south had increased by 91,000 since January 1973; combat battalions had risen from 344 to 565; and armor, artillery, and air defense had vastly improved. The enemy had also improved his logistics systems and CINCPAC estimated that communist ammunition stockpiles could support an offensive of greater intensity than the one in 1972.¹⁵

(U) Aware of their improving military position in the south, the North Vietnamese Politburo and Central Committee met in October 1974 to consider future plans.

14. (TS-NOFORN) CINCPAC Command History, 1974, (S) pp. 310-311, 432-433. (C) Memo, ASD(ISA) to CJCS, 19 Sep 74, Att to JCS 2472/892, 23 Sep 74, JMF 911/495 (19 Sep 74).

15. (TS-NOFORN) CINCPAC Command History, 1974, (S) pp. 171-172. (S) Msg, CINCPAC to CJCS, 232122Z Nov 74, JCS IN 02404.

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At this meeting, it was decided to launch a "large-scale, widespread" offensive in the Central Highlands (MR 2) of South Vietnam during 1975. In the course of the meeting, the question of US reaction was discussed. The Chief of Staff of the North Vietnamese Army, General Van Tien Dung, summed up the consensus as follows:

The Watergate scandal had seriously affected the entire United States and precipitated the resignation of an extremely reactionary president--Nixon. The United States faced economic recession, mounting inflation, serious unemployment and an oil crisis. . . . U.S. aid to the Saigon puppet administration was decreasing. Having already withdrawn from the south, the United States could hardly jump back in¹⁶

(C) In preparation for the 1975 offensive, the North Vietnamese opened a drive on Phuoc Binh, the capital of Phuoc Long Province on the last day of 1974. After a seven-day siege, Phuoc Binh fell on 7 January 1975, giving the communists control of all of the northernmost province of MR 3.¹⁷ The military situation in South Vietnam had now become critical. The Director of the Defense Intelligence Agency told the Secretary of Defense on 24 January 1975:

The shift in the military balance that began about mid-1974 has already reached the point where the South Vietnamese military have had no choice but to move into an increasing defensive posture. This means

16. General Van Tien Dung, "Great Spring Offensive," FBIS Daily Report, Asia and Pacific, 7 Jun 76 (Supp 38), pp. 5-6.

17. Facts on File, 1975, p. 4.

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abandoning many positions in contested territory in order to concentrate on the defense of vital population and rice-growing regions, and clamping rigorous constraints on the use of such critical items as ammunition and fuel. In essence, the strategic and tactical advantage has passed to the communists in South Vietnam.¹⁸

(U) The United States immediately charged North Vietnam with flagrant violation of the 1973 agreement and stated that it was now free to break the cease-fire since the North Vietnamese were no longer observing it. Later in January, the RVNAF attempted to regain the offensive in the lower portion of South Vietnam, launching a drive to retake Ba Dien Mountain in Tay Ninh Province. But this effort to secure the strategic heights controlling the northeastern approaches to Tay Ninh City, 55 miles northwest of Saigon, did not succeed.¹⁹

(U) Following the seizure of Phuoc Binh, the North Vietnamese and Viet Cong moved ahead with plans for the Central Highlands offensive. The initial battle was targeted against Ban Me Thuot, the capital of Darlac Province. Throughout the remainder of January and during February, the communists assembled supplies and readied forces. On 10 March the attack began and the following day the city fell to the North Vietnamese. The communists also cut Route 21, the link between Ban Me Thuot and Nha Trang on the coast, and Route 19, the road from Pleiku to the coast.²⁰

18. (S) Memo, Dir DIA to SecDef, "Adequacy of External Military Support to North and South Vietnam (U)," 24 Jan 75, CJCS File 820 Vietnam, 1 Jul 74-31 Mar 75.

19. Facts on File, 1975, pp. 15, 66.

20. Dung, "Great Spring Offensive," pp. 8-30. Facts on File, 1975, p. 154.

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(U) In late January, President Gerald Ford had asked Congress for a \$300 million supplemental FY 1975 appropriation for South Vietnam. This amount represented the difference between the original \$1.0 billion request and the actual appropriation of \$700 million. But, despite the worsening military situation, Congress was still unwilling to provide further assistance for South Vietnam, and on 12 March, the day after Ban Me Thuot surrendered, the US House of Representatives rejected the supplemental request.²¹

(U) The original North Vietnamese plan had called for large, wide-spread surprise attacks in 1975, preparing the way for a general offensive and uprising in 1976. But the speed and ease of the Ban Me Thuot victory encouraged the enemy to accelerate plans. Accordingly, the North Vietnamese and Viet Cong forces began to push northward in the Central Highlands toward Pleiku, and the RVNAF continued to fall back. On 20 March 1975, President Thieu announced the decision of his government to abandon Kontum, Pleiku, Darlac, and Phu Bon Provinces in the Central Highlands as well as Quang Tri and most of Thua Thien in MR 1--an area totaling approximately 40 percent of the territory of South Vietnam. The South Vietnamese forces would, President Thieu said, defend the remaining coastal areas in the northern part of the country and MRs 3 and 4.²²

21. (TS-NOFORN) CINCPAC Command History, 1975, (U) p. 470. NY Times, 13 Mar 75, 1.

22. All further information on the military operations in South Vietnam, unless otherwise stated, is from Facts on File, 1975, pp. 173-174, 191, 205-206, 225, 227, 245-247, 269-271, 289-291.

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(U) The RVNAF, however, were unable to regroup and the enemy offensive rolled on. The South Vietnamese abandoned Hue on 25 March, giving the enemy complete control of Thua Thien Province. Thousands of refugees fled southward to Da Nang. But they found no haven there as Da Nang was quickly isolated when the enemy captured the coastal cities of Tam Ky and Quang Ngai to the south. Da Nang surrendered with little resistance on 30 March and the North Vietnamese pushed on down the coast, taking Qui Nhon on 2 April and Tuy Hoa the following day. The North Vietnamese and Viet Cong now controlled two-thirds of South Vietnam and were posing an ever increasing threat to Saigon.

(C) An interagency intelligence report, circulated in Washington on 4 April, predicted the defeat of the Republic of Vietnam. The only question was one of timing. Would the Republic of Vietnam collapse or would it be overwhelmed by military action in a period of weeks or months? The RVNAF had already relinquished much territory, lost nearly half of their regular combat forces, and suffered great equipment and supply losses. In addition, the South Vietnamese military leadership was demoralized and the discipline of remaining troops was in doubt. Most of the US intelligence community was predicting an overwhelming North Vietnamese assault against Saigon in the "very near future."²³

23. (S) Interagency Intelligence Memo, "Assessment of Military Situation and Prospect for South Vietnam," 4 Apr 75; (S) Memo, Dir DIA to SecDef, DepSecDef, and Actg CJCS, "Large Scale NVA Military Action in MR's III and IV (U)," 4 Apr 75; CJCS File 820 Vietnam, 1 Jul 74-31 Mar 75.

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(C) President Ford, well aware of both public and Congressional opposition to any military intervention in South Vietnam, and lacking funds for any such action, could do nothing. Accordingly the Joint Chiefs of Staff watched the military disintegration of South Vietnam powerless to assist the RVNAF. As early as December 1974, they had reviewed "available" military options, including various combinations of US air and naval deployments to Thailand or waters off Vietnam, to signal US purpose and to discourage further expansion of the combat. They refined and expanded these options in January, but none of them was implemented.²⁴ Subsequently, in March 1975, the Joint Staff considered the possibility of the South Vietnamese mining Haiphong Harbor, but dismissed such a venture as "extremely risky and suicidal."²⁵

(C) Indicative of the predicament of the Joint Chiefs of Staff was their action on 29 March. They disapproved a CINCPAC request to use US military transport aircraft to move supplies in South Vietnam and support the VNAF. Although concerned, they told CINCPAC that current operating authorities approved by "higher authority" precluded such movement.²⁶ The Joint Chiefs of Staff did that same day authorize the Chief of Naval Operations, the Chief of Staff of the Air Force, and CINCPAC to evacuate refugees from

24. (TS) CM-178-74 to SecDef, 6 Dec 74; (TS-EX) CM-209-75 to SecDef, 8 Jan 75; (TS-EX) CM-220-75 to SecDef, 31 Jan 75; CJCS File 820 Vietnam, 1 Jul 74-31 Mar 75.

25. (TS) Draft CM-321-75, n.d., Att to DJSM-513-75 to CJCS, 25 May 75, CJCS File 820 Vietnam, 1 Jul 74-31 Mar 75.

26. (S) Msg, JCS 1149 to CINCPAC, 290000Z Mar 75, CJCS File 820 Vietnam, 1 Jul 74-31 Mar 75.

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South Vietnam using "commercial air and sealift," and three days later they expanded this authority to include the use of US military amphibious ships, associated landing craft, and helicopters.²⁷ Then on 2 April 1975, apparently already reconciled to the collapse of South Vietnam, they authorized CINCPAC to begin withdrawal of the personnel of the US Defense Attache Office, reducing to the essential level as quickly as possible.²⁸

(U) In early April, President Ford had dispatched General Fred C. Weyand, US Army Chief of Staff and former COMUSMACV, to South Vietnam to examine the situation firsthand. On his return, General Weyand recommended immediate emergency assistance for the Republic of Vietnam. Thereupon, the President appealed to Congress on 10 April for almost a billion dollars (\$722 million in military and \$250 in "economic and humanitarian" aid) for South Vietnam. These funds, which he wanted by 19 April, would be used to prevent the military collapse of South Vietnam in order to allow efforts for negotiation of a political solution. But, once again, Congress refused the President.²⁹

(U) Now, without hope of further assistance, the South Vietnamese braced for the final enemy assault. The North Vietnamese conducted probing attacks around Saigon and assaults throughout the Delta while the RVNAF regrouped for defense of Xuan Loc, the capital of Long Khanh Province, 38 miles east of Saigon.

27. (S) Msg, JCS 5119 to CINCPAC, CNO, and CSAF, 291917Z Mar 75; (S) Msg, JCS 6039 to CINCPAC, 010216Z Apr 75; CJCS File 820 Vietnam, 1-15 Apr 75.

28. (S) Msg, JCS 3453 to CINCPAC, 2 Apr 75, CJCS File 820 Vietnam, 1-15 Apr 75.

29. NY Times, 9 Apr 75, 1; 11 Apr 75, 1; 18 Apr 75, 1.

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(U) The battle of Xuan Loc broke on 10 April and the South Vietnamese made a determined effort to stop the enemy advance. While the battle raged, the situation deteriorated elsewhere. The North Vietnamese captured Phan Rang on the coast on 16 April and, three days later, Phan Thiet, 60 miles south of Phan Rang and the last remaining South Vietnamese coastal enclave, fell. Despite a fierce RVNAF resistance, the North Vietnamese took Xuan Loc on 21 April, opening the way for a final drive on Saigon. Meantime, on 16 April, the communists had further consolidated their control in Indochina when the Lon Nol Government in Cambodia surrendered to the Khmer Rouge.

(U) On the day Xuan Loc fell, President Thieu resigned, blaming the collapse of his government on the failure of the United States to come to his aid, and citing pledges of support from former President Nixon. President Thieu named his Vice President, Trang Van Huong, as his successor. He hoped his resignation would open the way for peace talks with the Viet Cong and North Vietnamese, but they refused any negotiations until a new regime, acceptable to them, was formed. The fighting now came closer to Saigon. General Duong Van Minh, prominent in South Vietnamese politics at the time of the fall of Ngo Dinh Diem and known as "Big Minh," succeeded to the presidency of the Republic of Vietnam on 28 April. General Minh was thought to be more acceptable to the Viet Cong, and he attempted to negotiate a truce and coalition government. These efforts were unsuccessful and, as North Vietnamese tanks entered Saigon on 30 April 1975, General Minh announced the unconditional surrender of the Republic of Vietnam.³⁰

³⁰ NY Times, 28 Apr 75, 1; 29 Apr 75, 1; 30 Apr 75, 1.

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(U) When the Republic of Vietnam collapsed on 30 April, all Americans had already departed South Vietnam. In early April, the United States had begun the removal of its citizens as well as South Vietnamese who feared a communist takeover, and this withdrawal accelerated as the month's events unfolded. The United States also undertook a sealoift during April to rescue fleeing South Vietnamese. Only on 15 April, however, did Secretary of State Kissinger publicly announce the decision to "reduce" the number of Americans remaining in South Vietnam and, until almost the final collapse, the United States meticulously avoided using the word "evacuation" in public statements. On 24 April, after considerable debate, Congress approved legislation authorizing the President to use US military forces to protect the evacuation of Americans and South Vietnamese from Vietnam. But not until 0400 (Washington time) on 29 April, when the Viet Cong and North Vietnamese were at the outskirts of Saigon, did President Ford order "emergency evacuation" of all Americans remaining in Vietnam. Then, with enemy fire making Tan Son Nhut Air Base unsafe, the United States resorted to a helicopter lift, picking up evacuees from the US Defense Attache Office area and the US Embassy compound. This emergency evacuation required 18 hours and removed approximately 1,400 US citizens and 5,600 Vietnamese. The final flights from the Embassy roof took out US Ambassador Graham Martin, the last eleven US Marine Embassy guards, and former VNAF Chief of Staff and RVN Vice President Nguyen Cao Ky. Four US servicemen were killed in the operation--two by enemy fire at Tan Son Nhut and two in the crash of an evacuation helicopter. In all, the United States

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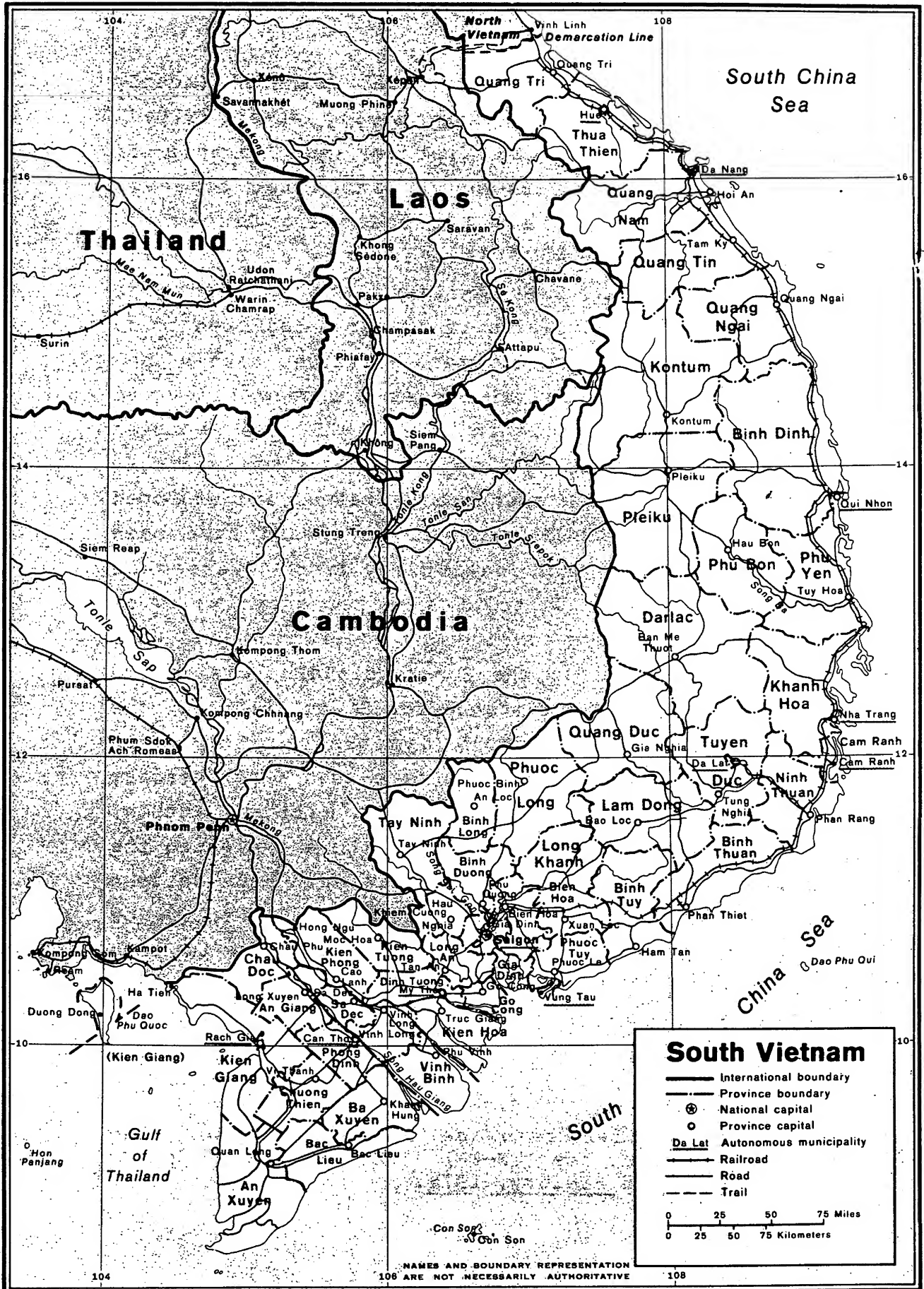
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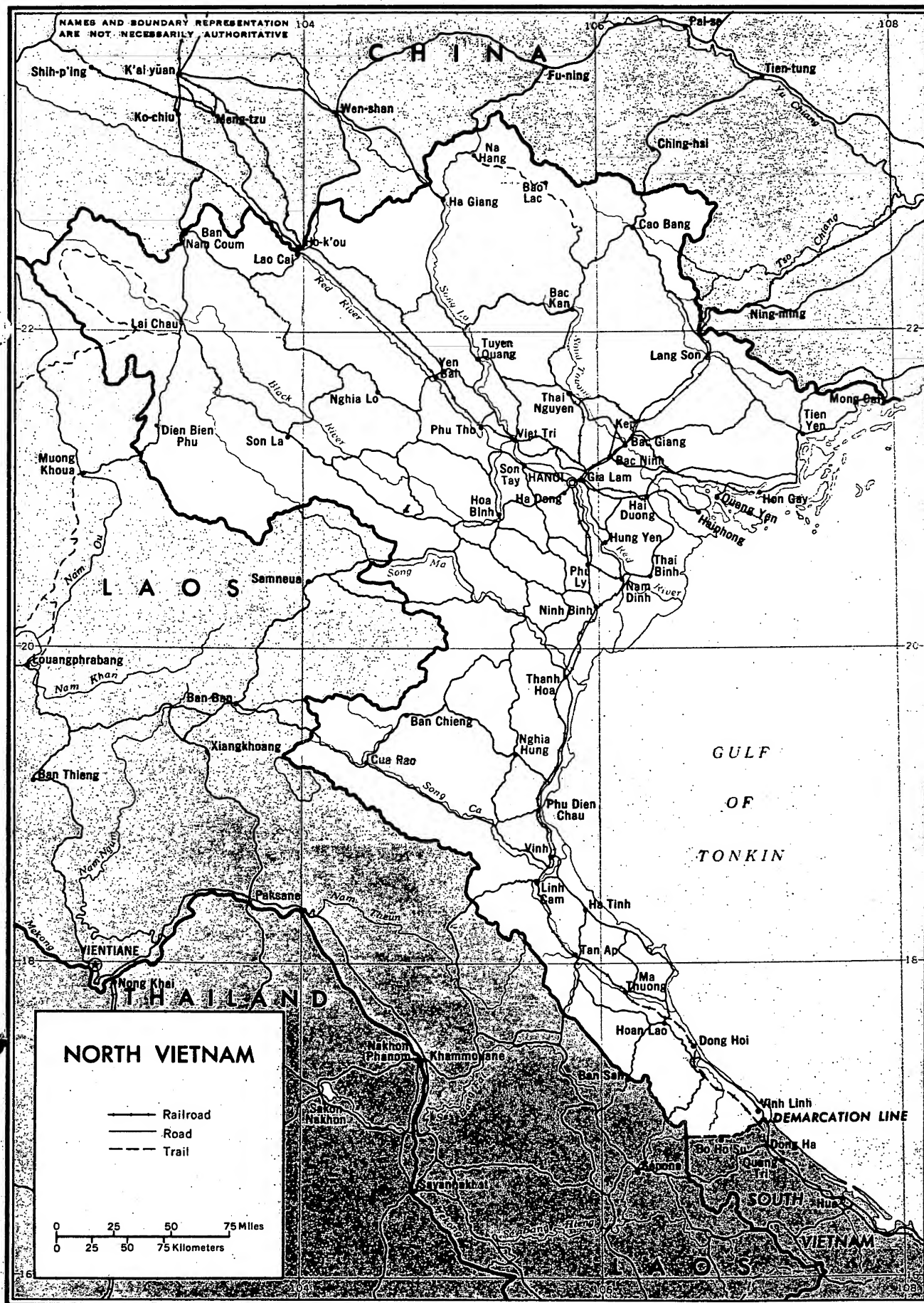
evacuated 6,763 Americans and 45,125 "others" (mostly Vietnamese) from South Vietnam during April 1975.³¹

(U) The fall of South Vietnam and Cambodia in April 1975, and the subsequent Pathet Lao takeover of the government in Laos the following September, marked the complete and final failure of US policy towards Indochina. Twenty-five years of effort to prevent communist domination of the area had been to no avail. The failure was, however, political rather than military. When the United States withdrew its armed forces from South Vietnam in early 1973, the Republic of Vietnam controlled the majority of its territory and population and had adequately trained and equipped armed forces. With US support, it should have been able to withstand the continuing North Vietnamese aggression. But the United States had grown weary of the long and expensive involvement in Vietnam, and this weariness culminated in the Congressional decisions to reduce significantly assistance for South Vietnam. The cutback of US aid not only demoralized the South Vietnamese but came at just the time when North Vietnam had decided to press on with all-out military action. Whether adequate US assistance would have prevented the ultimate North Vietnamese victory or only have delayed it is open to question. But certainly, the failure of the United States to supply additional help in late 1974 and early 1975 was the final coup de grace for the Republic of Vietnam.

31. For detailed coverage of the US evacuation from South Vietnam, see (TS-EX) "FREQUENT WIND," App IV to CINCPAC Command History, 1975.

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APPENDIX 1

THE USE OF HERBICIDES IN SOUTH VIETNAM,
1962 - 1973

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Herbicide Operations, 1962-1968

(U) The United States employed herbicides in military operations for the first time during the Vietnam war. Chemical spraying was used to kill vegetation for two purposes: defoliation to reveal enemy infiltration routes and storage sites and to clear areas around friendly outposts and improve defenses; and crop destruction to deny food supplies in enemy-held areas. The ecological and environmental hazards involved necessitated careful control. Nonetheless, the use of herbicides aroused considerable controversy during the course of the US involvement in Vietnam.

(U) The United States and South Vietnam tested herbicides for counterinsurgency measures in 1961, and President John F. Kennedy approved the first use by US forces in South Vietnam on 30 November 1961. At the recommendation of the Secretary of State and the Deputy Secretary of Defense, he authorized "a selective and carefully controlled joint program of defoliant operations in Viet Nam starting with the clearance of key routes and proceeding thereafter to food denial only if the most careful basis of resettlement and alternative food supply had been created." President Kennedy also directed "careful prior consideration and authorization" by Washington before execution of any operation.¹

(S) Herbicide operations in South Vietnam, both defoliation and crop destruction, actually began early in 1962. Initially, every mission required approval

1. NSAM 115 to SecState and SecDef, 30 Nov 61, reproduced in DOD, United States-Vietnam Relations: 1945-1947 (Pentagon Papers), US Government Printing Office, 1971, BK 11, p. 425. (S-NOFORN-GP 1) COMUSMACV Command History, 1970, (C) p. XIV-5.

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by the Secretary of State but, in May 1962, limited authority was delegated to the field. The US Ambassador in Saigon and COMUSMACV could approve defoliation to clear roadsides, railroads, and other lines of communication as well as areas adjacent to airfields and other field installations. Crop destruction, which was far more sensitive politically, still required Washington approval.²

(S) During the next several years, herbicide operations consisted of defoliation missions, nicknamed RANCH HAND, and limited crop destruction missions, known as FARM GATE. The former were flown with USAF aircraft while the latter originally used aircraft with VNAF markings and carrying a VNAF observer. Both COMUSMACV and the Ambassador in Saigon found the requirement for Washington approval of the FARM GATE operations time-consuming and cumbersome and sought appropriate delegation of authority to the field. Accordingly, in March 1964, authority for limited crop destruction was granted to COMUSMACV and the Ambassador and complete authority followed four months later.³

(C) The United States gradually increased the use of herbicides in South Vietnam during the years 1962 through 1964; then with the commitment of US combat forces in 1965, these operations expanded markedly. The great majority (approximately 90 percent), as indicated in the figures below, consisted of defoliation missions with crop destruction still conducted on a much more limited scale.

2. (TS-NOFORN-GP 1) COMUSMACV Command History, 1969, (S) pp. VII-15 - VII-17.

3. Ibid., (S) pp. VII-15 - VII-18.

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Herbicide Operations, 1962-1968
(area in square kilometers)

<u>Year</u>	<u>Defoliation</u>	<u>Crop Destruction</u>	<u>Total</u>
1962	20	3	23
1963	100	1	101
1964	338	442	780
1965	632	272	904
1966	2,297	306	2,603
1967	5,087	656	5,743
1968	5,003	276	5,279 ⁴

(S) The objectives of the herbicide program evolved to meet the changing needs. In the period 1962-1967, emphasis was given to GVN lines of communication in order to prevent ambushes, to defoliation around base areas, and to the destruction of food grown for the NVA/VC by conscripted villagers. By late 1967, with the increasing GVN control of lowland areas and movement of population from outlying regions into areas under GVN control, emphasis shifted to defoliation along the borders of Laos and Cambodia to make enemy infiltration routes and staging areas more vulnerable to air attack. Restricted buffer zones were established along the actual borders to preclude inadvertent defoliation outside of South Vietnam. The focus of crop destruction also shifted, concentrating on food grown by the NVA/VC for their own use.⁵

(U) Three herbicides, given the names of the color markers of the containers they came in, were employed

4. (S-NOFORN-GP 1) COMUSMACV Command History, 1970,
(C) p. XIV-6.

5. (S-GP 3) JCSM-575-70 to SecDef, 18 Dec 70,
App to JCS 2472/693-2, 15 Dec 70, JMF 911/313 (20 Nov
70). (TS-NOFORN-GP 1) COMUSMACV Command History,
1969, (S) p. VII-19.

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in Vietnam: (1) Orange, an oil-based agent effective against broadleaf vegetation, which achieved maximum results in four to six weeks, with a duration of approximately 12 months; (2) White, a water-based agent, which caused visible injury in approximately four weeks and full effect in six to eight weeks and with a duration of approximately 12 months; (3) Blue, a fast reacting water-based agent which showed visible results within 24 hours. All three were sold commercially in the United States.⁶

(S) Almost from the start, the herbicide operations in South Vietnam had been the subject of questions and charges, and North Vietnam had repeatedly cited the program for propaganda purposes. In 1968, the US Ambassador in Saigon, Ellsworth Bunker, set up a committee in Vietnam, including technical experts from the United States, to review every aspect of the operations. The committee found that the military benefits clearly outweighed the economic and psychological costs and recommended that the program continue. Consequently, no change resulted in the herbicide effort. Actual operations, however, did decline slightly in 1968 and the trend continued in 1969.⁷

Herbicide Operations in 1969 and 1970

(S) Soon after entering office, President Nixon decided to review US policy, programs, and operational concepts for chemical and biological warfare agents, and Dr. Kissinger assigned this task to the NSC Interdepartmental Political-Military Group on 28 May 1969.

6. (TS-NOFORN-GP 1) COMUSMACV Command History, 1969, (U) p. VII-17.

7. Ibid., (S) pp. VII-18 - VII-19.

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The Group submitted its report on 15 October 1969 and, among other things, noted the use of herbicides in Vietnam for both crop destruction and defoliation. The latter type operations, the Group reported, were being conducted "on a considerable scale" and had proved effective in clearing the edges of roads, canals, and rivers around encampments. The Group agreed that "use of herbicides as a defoliant is not contrary to international law and is less likely to have international repercussions than use against crops." The Group did recognize that the question of the ecological effects of herbicides was both relevant and controversial, but found no serious short-term ecological damage. Present evidence, however, did not permit a definitive conclusion for the long term and the Group felt further research was needed in this regard.⁸

(S) Subsequently President Nixon approved a US policy for both a "chemical warfare program" and a "biological research program" on 25 November 1969. The policy reaffirmed renunciation of first use of lethal chemical weapons and applied it to incapacitating weapons as well. But this renunciation did not apply to use of herbicides or riot control agents.⁹

(S) In the meantime, CINCPAC had asked COMUSMACV in September 1969 about a possible reduction of herbicide operations in Vietnam to an objective of 25 percent of the current capability by 1 July 1970. General Abrams replied that the present capability,

8. (S-GP 3) NSSM 59, 28 May 69, Att to JCS 1837/229, 29 May 69; (TS) Memo, Chm NSC Interdepartmental Polical-Military Group to Dr. Kissinger, 15 Oct 69, Att to JCS 1837/229-5, 17 Oct 69; JMF 313 (28 May 69) sec 1.

9. (S) NSDM 35, 25 Nov 69, JMF 001 (CY 1969) NSDMs.

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avaraging "400 productive sorties per month," was the minimum necessary for priority targets in the CY 1969 program. While some reduction might be possible, he considered a phasedown of 75 percent "unrealistic"; one of 25 to 30 percent appeared more reasonable for the time frame involved. CINCPAC agreed, directing a phasedown to 70 percent of the current capability by 1 July 1970. Accordingly, COMUSMACV issued the necessary directives. Operations would continue at the 400 productive sorties per month rate until 1 November 1969 and the decline to a level of 280 sorties per month by 1 July 1970.¹⁰

(C) During the latter part of 1969, mounting evidence began to appear of the danger of herbicide chemicals to both animals and humans. In October 1969, the Director of Defense Research and Engineering informed the Secretary of Defense of possible danger to humans as the result of exposure to herbicides. In anticipation of a DOD review of the continuation of herbicide operations, the Director of the Joint Staff told the Deputy Secretary of Defense on 29 October 1969 that the value of defoliation as a weapon had been clearly established. These operations had reduced ambushes, revealed enemy base camps and supply routes, and prevented countless US and RVNAF casualties. The Director also pointed out that current rules confined defoliation missions to areas remote from the population.¹¹

(U) On the same day that the Director forwarded his comments, the Deputy Secretary of Defense informed

10. (TS-NOFORN-GP 1) COMUSMACV Command History, 1969, (S) pp. VII-23 - VII-26.

11. (S-GP 4) DJSM-1675-69 to DepSecDef, 29 Oct 69, JMF 313 (29 Oct 69).

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the Chairman of the Joint Chiefs of Staff of a National Institutes of Health report presenting evidence that 2, 4, 5-T, a chemical present in agent Orange, could cause stillbirths or malformation in offspring of mice. Pending a decision by the appropriate Government department on the issue of retaining Orange on the domestic market, Deputy Secretary Packard restricted missions employing Orange in South Vietnam to areas away from population centers. Normal use of agents White and Blue could continue, but Mr. Packard did not want large-scale substitution of Blue for Orange. The Joint Chiefs of Staff relayed this instruction to the field five days later.¹²

(S) During 1969, there were also reports of indiscriminate spraying of defoliants causing damage in Cambodia. Specifically, the Royal Khmer Government claimed some 37,000 acres had been injured with damages estimated at \$8.5 million. A team of US civilian experts from the Department of Agriculture and the Agency of International Development visited Cambodia and reported extensive damage. Fruit trees had been defoliated near the South Vietnamese border as the result of wind drift from spraying in Tay Ninh Province and, further north, rubber, fruit, and forest trees had been killed, probably the result of "a direct spray application by an unknown party." With regard to the latter charge, the Secretary of State denied that such a mission had been authorized although he did not rule out the possibility of an accidental overflight. Subsequently, at the request of COMUSMACV, the Commander, 7th Air Force, investigated and reported that no US

¹². Memo, DepSecDef to CJCS, 29 Oct 69, Att to JCS 1837/234, 30 Oct 69; (U) Msg, JCS 3986 to CINCPAC (info COMUSMACV), 4 Nov 69; JMF 313 (29 Oct 69).

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aircraft had dispensed herbicides within the territorial jurisdiction of Cambodia during the period in question.¹³

(U) On 15 April 1970, the Secretaries of Health, Education, and Welfare; Interior; and Agriculture announced the suspension of uncontrolled domestic use of herbicides containing 2, 4, 5-T. That same day, the Deputy Secretary of Defense suspended temporarily all use of Orange in military operations pending a more thorough evaluation of the situation.¹⁴

(S) The Joint Chiefs of Staff and CINCPAC took immediate issue with the Deputy Secretary's decision. The following day, 16 April, the Director of the Joint Staff told the Chairman that the suspension would have severe operational impacts. On-hand quantities of agent White, the most probable substitute for agent Orange, were sufficient only for about 15 days of operations at present rates. Moreover, although White was available commercially, from 35 to 120 days would be required for resupply once a procurement decision was made. A few days later, on 24 April 1970, CINCPAC requested that the temporary suspension of Orange be lifted as soon as possible. If that action was not possible, then he asked that production of Orange be stopped and production of a suitable substitute undertaken.¹⁵

(S) On 14 May, the Joint Chiefs of Staff, themselves, addressed the suspension of the use of Orange.

13. (TS-NOFORN-GP 1) COMUSMACV Command History, 1969, (S) pp. VII-22 - VII-23.

14. Memo, DepSecDef to CJCS, 15 Apr 70, Att to JCS 1837/251, 16 Apr 70, JMF 313 (15 Apr 70) sec 1.

15. (S-GP 1) DJSM-555-70 to CJCS, 16 Apr 70; (C-GP 4) Msg, CINCPAC to JCS 240335Z Apr 70; JMF 313 (15 Apr 70) sec 1.

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As of 1 May 1970, they told the Secretary of Defense, slightly more than one million gallons of the agent were on hand in South Vietnam and another 865,000 gallons awaited shipment from the United States. These quantities represented approximately 15 months of supply at the current employment rate. Since the suspension of the use of Orange, herbicide operations had been continuing with agent White, but only 35,748 gallons (approximately 35 sorties) were on hand at the beginning of May. When the White was expended, all defoliation operations would cease.

(S) To remedy this situation, the Joint Chiefs of Staff presented three alternatives: (1) terminate all defoliation; (2) procure more White or another suitable substitute; (3) rescind the suspension on the use of Orange. They dismissed the first altogether, explaining the importance of defoliation. These operations had helped eliminate enemy concealment along lines of communication and around base areas and airfields; had permitted reduction in the number of personnel needed for perimeter security; and had lowered the number of men necessary for combat operations, helping to save allied lives. For all these reasons, the Joint Chiefs of Staff wanted the defoliation program continued. Moreover, since agent White was less effective than Orange, they requested that the temporary suspension on the use of Orange be rescinded.¹⁶

(C) When more than two weeks had passed without any decision, the Chairman reminded the Secretary of Defense of the urgency in this matter and requested a

¹⁶. (S-GP 3) JCSM-232-70 to SecDef, 14 May 70, Encl to JCS 1837/252, 8 May 70, JMF 313 (15 Apr 70) sec 1.

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decision as soon as possible. Subsequently, on 15 June, the Deputy Secretary of Defense rejected the JCS request to rescind the suspension on the use of Orange in South Vietnam. Instead, he approved a plan prepared by the Assistant Secretary of Defense (I&L) for procurement and delivery of 330,000 gallons of White to South Vietnam. He also directed that employment of White be held to the "minimum." In advising CINCPAC of this decision, the Joint Chiefs of Staff asked him to determine the amount of White needed in FY 1971 to meet minimum operational requirements.¹⁷

(C) When President Nixon approved the US policy for chemical and biological warfare on 25 November 1969,¹⁸ he decided to submit the Geneva "Protocol for the Prohibition of the Use in War of Asphyxiating Poisonous or Other Gases, and of Bacteriological Methods of Warfare" to the Senate for advice and consent in anticipation of ratification. This Protocol had been prepared in 1925 and signed by most countries. The United States, however, had never acceded to the protocol and was subjected to continuing criticism over the years for not doing so. Failure to sign the Geneva Protocol combined with the US employment of herbicides in Vietnam was being used by the Soviet Union and other nations for propaganda advantage in the ongoing disarmament negotiations. Consequently, President Nixon wanted to submit the Geneva Protocol to the US Senate.

17. (C-GP 4) CM-5245 to SecDef, 2 Jun 70, Att to 1st N/H of JCS 1837/252, 4 Jun 70; Memo, ASD(I&L) to DepSecDef, 11 Jun 70, Att to JCS 1837/252-1, 17 Jun 70; Handwritten note by DepSecDef on ASD(I&L) Memo of 11 Jun 70; Msg, JCS 3123 to CINCPAC, 22 Jun 70; JMF 313 (15 Apr 70) sec 1.

18. See above, p. 821.

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Before taking this action, he desired an assessment of "the overall value of the United States anticrop chemical spraying program to our military effort in Southeast Asia."¹⁹

(S) Dr. Kissinger relayed the President's request to the Secretary of Defense on 6 July 1970. Using information supplied by the Director of the Joint Staff, the Secretary replied to Dr. Kissinger on 18 July. He pointed out that the crop destruction program, which represented only five percent of the total herbicide effort in Vietnam, had contributed significantly to the reduction of VC/NVA logistic capability. He estimated the quantity of rice destroyed in the fields in VC/NVA-controlled areas by this means to be about seven times that found in caches during ground operations. Serious food shortages had often led to a curtailment of enemy military action primarily through the requirement to divert combat troops to food production, acquisition, or distribution tasks. Overall Secretary Laird concluded that anticrop operations "in carefully selected target areas" had proven an effective adjunct to the total US military effort in Southeast Asia.²⁰

(S) On 2 August 1970, President Nixon approved a general policy governing the use of both chemical herbicides and riot control agents by US forces in time of war. Use of herbicides for either defoliation or crop destruction required Presidential approval. This new policy did not, however, affect "the joint authority of COMUSMACV and the United States Ambassador,

19. (C) Memo, Dr. Kissinger to SecDef, 6 Jul 70, CJCS 091 Vietnam, Jul 70.

20. (S-GP 3) Memo, SecDef to Dr. Kissinger, 18 Jul 70, Att to JCS 2472/649, 24 Jul 70, JMF 911/313 (13 Jul 70).

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Saigon, to authorize support of the Government of the Republic of Vietnam requests for herbicide operations" and, in effect, brought no change in the herbicide effort in Vietnam.²¹

(C) During 1969 and 1970, there was continuing public criticism of the US herbicide program in Vietnam, including a number of articles in scientific magazines and journals. In the summer of 1970, the American Association for the Advancement of Science (AAAS) proposed to send a team of civilian scientists to South Vietnam to conduct an on-site investigation of the effects of herbicides on the land and people. Before the team left the United States, the Joint Chiefs of Staff sought the views of CINCPAC. The field commander did not believe "an objective, scientifically valid study" of the sort proposed was feasible at that time. He pointed out to the Joint Chiefs of Staff on 23 July that herbicide operations had been conducted only in unpopulated or low density population areas and generally in a hostile environment. Hence valid statistics to provide "a base line" for the study did not exist. Therefore any findings would be inconclusive, only fueling the controversy. Moreover, since the areas where herbicides had been used were ones where the enemy still operated, it would be difficult to insure the safety of the team. As an alternative, CINCPAC proposed a study in the United States of the genetic and ecological effects of herbicides. Since the same chemical compounds had been used at home for over 20 years in quantities four times greater than

21. (S-GP 1) NSDM 78, 11 Aug 70, JMF 001 (CY 1970) NSDMs, sec 2.

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in Vietnam, he believed appropriate data should be more readily available for such a study.²²

(C) The alternative proposed by CINCPAC was not adopted and a four-man survey team of the AAAS, led by Dr. Matthew S. Meselson, a Harvard University biologist, visited Vietnam in August 1970. The team members collected soil samples, flew over recently sprayed crop targets, and interviewed Vietnamese villagers in areas where herbicide missions had occurred. They condemned the destruction of mangrove and hardwood forests, called the crop destruction effort a failure, and concluded that the spraying had caused serious harm to both the land and people. They also speculated that the spraying might have been responsible for a high number of still-births and birth defects among Vietnamese in 1967 and 1968, but cautioned that further study was needed to substantiate these charges. CINCPAC dismissed the team conclusions, stating that Dr. Meselson's position on crop destruction was "well known and consistent with his criticism of US/GVN policy."²³

Consideration of a Herbicide Capability for South Vietnam

(S) By mid-1970, Vietnamization, the US policy of improving and strengthening the RVNAF so that the

22. LTG John H. Hay, Jr., Tactical and Material Innovations, Washington, Dept of the Army, 1974, p. 94. (C-GP 4) Msg, CINCPAC to JCS, 230408Z Jul 70, JCS IN 29869. Legislative Reference Service, Library of Congress, "A Technology Assessment of the Vietnam Defoliant Matter, a Case History," Report to Subcom on Science, Research and Development of H. Com on Science and Astronautics, 8 Aug 69, 91st Cong, 2d sess.

23. (C) Joint State/DOD/AID Msg (State 119797) to Saigon (info CINCPAC), 250113Z Jul 70, JCS IN 33213. (C-GP 4) Msg, CINCPAC to CJCS, 052210Z Jul 70 (retransmitting MAC 12013/041138Z Sep 70). (C-GP 4) Msg, CINCPAC to CJCS, 052208 Sep 70; CJCS File 091 Vietnam, Sep 70. Hay, Tactical and Material Innovations, p. 94.

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South Vietnamese could take over combat operations from US forces, was well under way. At this point, however, the United States had no plans to transfer its herbicide capability to the RVNAF.²⁴ Then, on 2 September 1970, the Secretary of Defense asked about "political implications" and "military utility" of supporting the South Vietnamese with both herbicides and riot control agents after the removal of US combat forces. He requested his Assistant Secretary for International Security Affairs to conduct an appropriate review, specifically including the views of the Chairman of the Joint Chiefs of Staff.²⁵

(S) The Director of the Joint Staff supplied the JCS input for the review on 15 September. He pointed out to the Assistant Secretary of Defense (ISA) the significant military benefits of the herbicide operations, including greatly increased ability to detect enemy infiltration, base areas, and preparations for offensive action. In addition, herbicide operations had reduced friendly casualties, complicated enemy logistic programs, and required the diversion of VC/NVA troops to food production missions. The Director doubted that the withdrawal of US combat forces from Vietnam would decrease the requirement for herbicides as long as active combat continued. To the contrary, redeployment of US forces would place greater emphasis on territorial surveillance and security. Following a cease-fire or other cessation of hostilities,

24. See response given to Senator Gaylord Nelson during a briefing on the herbicide program. (C) DJSM-1163-70 to CJCS, 14 Aug 70, CJCS File 091 Vietnam, Aug 70.

25. (S-GP 3) Memo, SecDef to ASD(ISA), 2 Sep 70, Att to JCS 2472/668, 4 Sep 70, JMF 911/313 (2 Sep 70).

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defoliation of strips through the heavy jungle on the Cambodian and Laotian borders would provide an excellent means of detecting any new infiltration into the RVN and assist in identification of enemy preparation for attacks in violation of the cease-fire.

(S) The Director observed that the RVNAF capability to disseminate herbicides was "marginal." Plans were in being to provide the South Vietnamese C-123 aircraft and those craft could be equipped with appropriate spraying apparatus. The Director added that neither herbicides nor riot control agents were significantly expensive when compared to other munitions and weapon systems in normal use and both were commercially available.²⁶

(S) After reviewing the JCS input and also that of the Assistant Secretary of Defense (Systems Analysis), the Assistant Secretary of Defense (ISA) told the Secretary on 28 October that both military and economic considerations clearly called for continued support of the South Vietnamese with herbicides and riot control agents. Further, he believed that "political liabilities of refusing to support the RVN with riot control agents and chemical herbicides after withdrawal of US combat forces appear at this time clearly to outweigh possible benefits that might accrue from such refusal." Therefore the Assistant Secretary recommended continued support at a level determined by military and economic considerations.²⁷

26. (S-GP 3) DJSM-1360-70 to ASD(ISA), 15 Sep 70 (derived from JCS 2472/668-2), JMF 911/313 (2 Sep 70). (DJSM 1360-70 was approved by the JCS.)

27. (S-GP 3) Memo, ASD(ISA) to SecDef, 8 Oct 70, Encl to JCS 2472/668-3, 9 Dec 70, JMF 911/313 (2 Sep 70).

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(S) Over a month later, on 7 December 1970, Secretary Laird approved the recommendation of the Assistant Secretary. He cautioned that use of both herbicides and riot control agents in support of combat operations in Vietnam remained a contentious issue and directed that these chemicals and agents "be carefully controlled and employed with discrimination." He wanted the Joint Chiefs of Staff to monitor use and ensure "rigorous application of existing regulations and controls."²⁸

Increasing Restriction on Use of Herbicides

(C) Following the suspension of the use of Orange in April 1970, herbicide operations fell off drastically. Whereas 4,852 square kilometers of land in South Vietnam were sprayed with defoliants during 1969, only 892 were so treated in 1970. Crop destruction missions dropped by half as well, the square kilometers treated declining from 263 in 1969 to 132 in 1970. The restriction on Orange influenced COMUSMACV's decision on 10 July 1970 to terminate defoliation by fixed-wing aircraft;²⁹ all such operations thereafter employed helicopter or ground-based spray equipment. The suspension of the use of Orange also presented COMUSMACV a further problem--the disposition of some 1,400,000 gallons of the agent then stocked in Vietnam.³⁰

28. (S-GP 3) Memo, SecDef to SecArmy and CJCS, 7 Dec 70, Att to JCS 2472/668-3, 9 Dec 70, JMF 911/313 (2 Sep 70).

29. This decision was also based in part on the decision to deactivate the 12th Special Operations Squadron as a result of the critical need for space to accommodate the expanding VNAF. See (S-NOFORN-GP 1) COMUSMACV Command History, 1970, p. XIV-10.

30. (S-NOFORN-GP 1) COMUSMACV Command History, 1970, pp. XIV-5 - XIV-10. (S-GP 4) Msg, JCS 1726 to CINCPAC, 22 Jan 71.

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(S) As the field commanders looked for ways to dispose of the stocks of Orange, another question arose. On 16 October 1970, the Deputy Secretary of Defense informed the Chairman of recent allegations that Orange had been used in the Americal Division area of operations in South Vietnam. He requested an appropriate investigation. At JCS direction, COMUSMACV conducted the investigation, and Admiral Moorer reported to the Deputy Secretary that Orange had, indeed, been dispensed in six instances following the suspension. The herbicide had been used without the knowledge of the Americal Division commander or his chief of staff and had been used because stocks of White were "essentially depleted." Admiral Moorer assured Mr. Packard that COMUSMACV had reaffirmed to his subordinates the suspension of Orange and, to prevent reoccurrence of similar incidents, had made all stocks of Orange accountable, consolidating them at a central storage area to insure better control.³¹

(C) Meantime, on 21 October 1970, CINCPAC had complained to Admiral Moorer about the maintenance of the large quantities of Orange in Vietnam. Not only was storage of the approximately 1,400,000 gallons of the agent costing an estimated \$10 million, but the longer it remained static, the greater the risk of "adverse consequences." Therefore CINCPAC recommended either reinstitution of Orange for combat operations or encouragement of the GVN to continue its use for border control, maintenance of route security, and related purposes.³²

31. (S) Memo, DepSecDef to CJCS, 16 Oct 70; (S-GP 3) CM-306-70 to DepSecDef, 20 Oct 70; (C) Atts to JCS 1837/261, 29 Dec 70, JMF 313 (15 Apr 70) sec 1.

32. (S-GP 4) Msg, CINCPAC to CJCS, 210132Z Oct 70, CJCS File 091 Vietnam, Oct 70.

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(C) CINCPAC's recommendation was not accepted and, in fact, further restrictions on herbicide operations were soon under consideration. On 20 November 1970, the President's science adviser, Dr. Edward E. David, Jr., wrote to Dr. Kissinger asking a reconsideration of US defoliation policy in Vietnam. Dr. David expected the American Association for the Advancement of Science, as a result of the visit of its mission to Vietnam during the summer,³³ to present evidence to Congressional committees and the American public charging the United States with use of herbicides in Vietnam with impurities far greater than those allowed at home. Other factors contributing to the need for reconsideration of the US defoliation policy, listed by Dr. David, included: question of storage of Orange in Vietnam, the unauthorized use of Orange, and the possible harmful effects of the chemicals currently used in Vietnam as substitutes for Orange. He thought it might be desirable to use in Vietnam only those herbicide agents authorized for commercial use in the United States and only under the same conditions. Subsequently, on 10 December, Dr. Kissinger asked the Secretary of Defense and the Joint Chiefs of Staff for an appraisal of Dr. David's suggestion, including the nature and significance of any reduction in defoliation capability that might occur if such a policy was adopted.³⁴

(S) Even before Dr. Kissinger's request for appraisal of the David proposal, herbicide operations in Vietnam were restricted further. On 9 December 1970,

33. See above, p. 829.

34. (C-GP 4) Memo, Presidential Science Adviser to Dr. Kissinger, 20 Nov 70; Memo, Dr. Kissinger to SecDef, 10 Dec 70; Atts to JCS 2472/693, 11 Dec 70, JMF 911/313 (20 Nov 70).

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Ambassador Bunker and General Abrams informed Washington of their decision to phase out the crop destruction portion of the program. General Abrams was taking action to stop further procurement or shipment of agents Blue and White to South Vietnam; "herbicide stocks on hand will support base perimeter defoliation and highly selective crop destruction operations until approximately May 1971." The Ambassador and the military commander planned no announcement of the suspension of crop destruction operations. Such a course, they said, would "permit a quiet, orderly, yet rapid phase-out of [the] program while preserving our option to reinstitute [the] program if necessary in [the] future."³⁵

(U) On 18 December, the Joint Chiefs of Staff assessed the David proposal to limit employment of herbicides in Vietnam to the same restrictions observed in the United States. Again, they set out the military benefits of herbicide operations. They found no direct parallel between operations in Vietnam and the use of similar chemicals in the United States; the objectives of the two uses were "entirely different"--for weed control in the United States but for military advantages in Vietnam. The Joint Chiefs of Staff were not aware of any "reliable evidence" of ill effects from herbicides to human beings--the suspension of Orange had been based "on evidence from laboratory mice." Nor had simulated soil tests in the United States shown any harmful effects. Therefore the Joint Chiefs of Staff did not favor Dr. David's proposal, nor did they find any factual basis for retaining the suspension of Orange in portions of Vietnam remote from populated

35. Msg, Joint Saigon/MACV (Saigon 19374) to State, 9 Dec 70, JCS IN 76317.

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areas. The option to continue herbicide operations, they said, must be maintained.³⁶

(C) After considering the JCS appraisal, the Secretary of Defense prepared a draft memorandum for the President. Among other things he planned to inform the President that the suspension of the use of Orange would be permanent and that any herbicides employed in Vietnam henceforth would be used only under the conditions applying in the United States. Admiral Moorer again expressed the JCS opposition to a permanent suspension of Orange. He listed briefly the JCS arguments set forth in their 18 December submission and explained the problem of disposing of existing stocks.³⁷

(C) On 22 December 1970, the Secretary forwarded a memorandum to the President. "The present ban on the use of the herbicide known as 'Orange,'" he told the President, "remains in effect." This statement reflected a slight concession to accommodate the views of the Joint Chiefs of Staff. The Secretary did not say the suspension was permanent, as he had proposed in the draft, and left open the possibility of its removal. Mr. Laird went on to relate that Ambassador Bunker and General Abrams were initiating action "to permit an orderly, yet rapid phase-out of other herbicides while preserving the option to reinstitute this program, if necessary, to assure the protection of American lives." The Secretary mentioned no specific date for completion of the phase out, but did state that, during the

36. JCSM-575-70 to SecDef, 18 Dec 70, App to JCS 2472/693-2, 15 Dec 70, JMF 911/313 (20 Nov 70).

37. (C) Draft Memo, SecDef to Pres, n.d.; (S-GP 3) CM-451-70 to SecDef, 21 Dec 70, Att to JCS 2472/693-3, 22 Dec 70, JMF 911/313 (20 Nov 70).

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phase out, herbicides would be restricted to "remote, unpopulated areas or around fire bases and US installations in a manner currently authorized in CONUS." In short, Secretary Laird told the President, herbicides would be used only under conditions that applied in the United States.³⁸

(C) Six days later, Dr. Kissinger advised Secretary Laird that the President had noted the 22 December memorandum and the actions being taken to reduce use of herbicides in Vietnam, including initiation of a program to permit "an orderly, yet rapid" phase out of herbicide operations. The President did not, however, set any date for completion of the program. He also directed that any extension or approval of the current program or plans, if any, regarding Vietnamization of chemical herbicide capabilities be submitted for his approval. In issuing the necessary implementing order to the field, the Joint Chiefs of Staff noted that defoliation by fixed-wing aircraft had ceased on 10 July 1970 and that crop destruction was being phased out with termination by 1 May 1971. Therefore, after that date, herbicide operations would be limited to defoliation by either helicopter or ground-based spray. The Joint Chiefs of Staff reiterated the suspension of Orange; agents Blue and White were to be employed with "discrimination" and in conformity with policies governing the use of herbicides in the United States.³⁹

38. (C) Memo, SecDef to President, 22 Dec 70, quoted in toto in Memo, DepSecDef to CJCS, 7 Jan 71, Att to JCS 2472/693-5, 8 Jan 71, JMF 911/313 (20 Nov 70).

39. (C-GP 3) Memo, Dr. Kissinger to SecDef, 28 Dec 70, Att to JCS 2472/693-4, 4 Jan 71; (S-GP 4) Msg, JCS 1726 to CINCPAC (info COMUSMACV), 22 Jan 71; JMF 911/313 (20 Nov 70).

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Continuing Controversy Over Herbicides in 1971

(C) Still the question of the extent to which herbicides would be employed in Vietnam was not resolved. On 16 January 1971, the Deputy Secretary of Defense again stressed the need for caution in the use of these chemical agents and requested a JCS plan for disposition of the stock of Orange than in Vietnam. He also ordered the immediate termination of all crop destruction operations, accelerating the cutoff date of 1 May 1971 planned by COMUSMACV and the Ambassador. Accordingly, General Abrams and Ambassador Bunker announced jointly on 20 February 1971 the termination of all crop destruction missions. Thereafter herbicide operations in Vietnam were restricted to limited defoliation with Blue and White around friendly fire support bases to preclude enemy use of ground cover. These operations relied on helicopter or ground-based spray.⁴⁰

(S) In the meantime, on 2 February, the Secretary of State had notified Secretary Laird of his intention to ask the President to end all chemical herbicide operations in Vietnam immediately. Such action, Secretary Rogers believed, would assist in securing Senate advice and consent to ratification of the 1925 Geneva Protocol on chemical and biological agents then before the Senate. Secretary Laird did not agree. He could not concur with Secretary Roger's recommendation,

40. (C) Memo, DepSecDef to CJCS, 16 Jan 71, Att to JCS 1837/261-1, 10 Mar 71, JMF 313 (15 Apr 70) sec 1. (S-NOFORN-GP 1) COMUSMACV Command History, 1971, (U) p. VI-20.

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he told the President on 19 February, because of the risk it might bring to US forces in Vietnam. Any additional action to speed up the phase out of herbicide operations before 1 May 1971, Mr. Laird believed, should be determined by General Abrams in relation to the military situation in the field rather than being dictated solely by the political situation in Washington. Should there be a requirement to expand herbicide usage in Vietnam or to extend operations beyond 1 May 1971, Secretary Laird would request appropriate approval.⁴¹

(S) The President took no action to curtail herbicide operations further but, as the Joint Chiefs of Staff had told CINCPAC on 3 February, some agencies in Washinton were interpreting the decision by Ambassador Bunker and General Abrams on 9 December⁴² to cease procurement of agents Blue and White, with anticipated exhaustion of stocks on hand by 1 May 1971, as a commitment to terminate herbicide operations by that date. Accordingly, the Joint Chiefs of Staff wanted an evaluation of the need to continue these operations beyond that date.⁴³

(S) The field commanders not only wanted to continue the operations but also to supply the South Vietnamese a herbicide capability. CINCPAC explained on 5 February 1971 that procurement and shipment of

41. (TS-GP 1) Draft Ltr, SecState to Pres, n.d., Encl to Ltr, SecState to SecDef, 2 Feb 71, Att to JCS 1837/266, 3 Feb 71; JMF 313 (2 Feb 71). (S-GP 3) Memo, SecDef to Pres, 19 Feb 71; Ltr SecDef to SecState, 19 Feb 71; Atts to JCS 1837/266-1, 22 Feb 71, same file.

42. See above p. 834-835.

43. (S-GP 3) Msg JCS 3215 to CINCPAC, 032307Z Feb 71.

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White and Blue were suspended to prevent large accumulation of stocks in the face of reductions in usage. Since on-hand stocks of Blue and White were greater than those required to support helicopter and ground spraying on a continuing basis, the field commanders had planned to consume the excess by continuing crop destruction operations until May 1971. But the early termination of crop destruction, as directed by the Deputy Secretary of Defense on 16 January, would now mean that stocks of Blue and White available for helicopter and ground spraying would last well into FY 1972. Moreover, CINCPAC considered such spraying essential to preserve and enhance the security of US and allied bases and installations. Therefore he requested authority, without any time limit, to spray for this purpose.⁴⁴

(S) Later, on 6 March, CINCPAC submitted to the Joint Chiefs of Staff a plan to provide the RVNAF with a helicopter and ground spray capability to improve troop and installation security. Just over a week later, on 14 March, he proposed removal of the suspension of Orange. He wanted to dispose of the Orange in Vietnam by using it in military operations in areas remote from population and agriculture regions.⁴⁵

(C) The Joint Chiefs of Staff supported CINCPAC. On 9 April, they requested the Secretary of Defense to secure Presidential approval of a plan to provide the RVNAF "a limited herbicide capability" as well as Presidential sanction of continued US defoliation

44. (S-GP 3) Msg, CINCPAC to JCS, 051734Z Feb 71, JCS IN 91957.

45. (S-GP 3) Msg, CINCPAC to JCS, 140401Z Mar 71, JCS IN 71987. (S-GP 4) Msg, CINCPAC to JCS 060407Z Mar 71, JCS IN 57537.

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operations around bases and installations "beyond May 1971 until the RVNAF attains the required capability to provide this support." Such continued use, they believed, was essential to preserve and enhance the security of US and allied bases and installations. With regard to Orange, the Joint Chiefs of Staff asked the Secretary on 23 April to remove the suspension to allow use as an option in military operations under the conditions set forth by CINCPAC. They also recommended that the stocks of Orange in South Vietnam remain in the custody of GVN "for selective use in military operations consistent with capabilities provided through the Vietnamization Program." Should the suspension not be removed, then the Joint Chiefs of Staff favored return of Orange to US custody for incineration "in a manner to be determined by detailed cost analysis." These latter recommendations constituted the JCS plan for disposition of Orange as requested by the Deputy Secretary of Defense on 16 January 1971.⁴⁶

(S) On 13 May, Secretary Laird informed the President of the JCS request to continue use of herbicides around fire support bases and installations. He supported the Joint Chiefs of Staff, telling the President that such use was "vital to the protection of US and allied forces" from enemy sapper and ambush tactics as US redeployments moved ahead. Mr. Laird also informed the President that he was evaluating a JCS plan to provide the RVNAF a limited herbicide capability. He intended to forward the plan to the

46. (S-GP 4) JCSM-173-71 to SecDef, 9 Apr 71, Encl to JCS 2472/728, 29 Mar 71, JMF 911/313 (6 Mar 71). (S-GP 4) JCSM-191-71 to SecDef, 23 Apr 71, Encl to JCS 1837/261-3, 16 Apr 71, JMF 313 (15 Apr 71) sec 1.

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President shortly. Until the RVNAF possessed a herbicide capability, or until 1 December 1971, whichever came first, the Secretary requested authority for US forces to continue to employ herbicides as needed around fire support bases and installations. He quickly added that current military objectives did not envision any increased use of herbicides at that time and that existing stocks of Blue and White would be used.⁴⁷

(S) The Secretary of State told the President over a month later, on 24 June 1971, that his Department would, on political grounds, prefer no extension of herbicide use in Vietnam. If military reasons were telling, then Secretary Rogers reluctantly agreed to "a limited extension not beyond December 1, 1971 . . . under the definitive and restricted conditions outlined by Secretary Laird except that such use be restricted to 'perimeter of fire bases and U.S. installations.'"⁴⁸

(C) A Presidential decision was not immediately forthcoming and, on 6 August 1971, CINCPAC urgently requested continuing authority to employ agents Blue and White in Vietnam. Base security was being weakened by excessive vegetation growth, he said, and "at a time when redeployment of forces limits the number of personnel available to man perimeters," lives were being lost as the result of inadequate defoliation.⁴⁹

47. (TS-GP 3) Memo, SecDef to Pres, 13 May 71, Att to JCS 2472/728-1, 1 Jul 71, JMF 911/313 (6 Mar 71).

48. (TS-GP 3) Memo, SecState to Pres, 24 Jun 71, Att to JCS 2472/728-1, 1 Jul 71, JMF 911/313 (6 Mar 71).

49. (S-GP 4) Msg, CINCPAC to JCS, 062149Z Aug 71, JCS IN 68404.

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A Presidential Decision

(S) The President made his decision on 18 August 1971. He directed that "the planned phase-out of the herbicide operations in Vietnam and, as necessary, the introduction of alternate means for clearing perimeters be completed as rapidly as possible and not later than December 1, 1971." He granted Ambassador Bunker and COMUSMACV "joint authority to use herbicides around fire bases and U.S. installations when considered essential for the protection of U.S. and allied forces in those cases where other means are not possible or available." Such use would be restricted to perimeter areas and be conducted only by helicopter or ground-based spray under the same restrictions applied in the United States. This authority extended only until 1 December 1971. The question of US assistance to South Vietnam in developing a herbicide capability, the President said, would be considered as a separate issue. Pending a decision, he wanted no statements or actions to encourage the South Vietnamese in any way to acquire or develop such a capability.⁵⁰

(C) The Joint Chiefs of Staff relayed the President's decision to CINCPAC and COMUSMACV the following day. They carefully pointed out that the authority to employ herbicides applied only to existing stocks of Blue and White; the suspension of Orange continued.⁵¹

(S) Several weeks later, on 13 September 1971, the Secretary of Defense ruled on the disposition of Orange. He did not approve use in remote areas of

50. (S-GP 3) Memo, Dr. Kissinger to SecState and SecDef, 18 Aug 71, Att to JCS 2472/728-2, 18 Aug 71, JMF 911/313 (6 Mar 71).

51. (S-GP 4) Msg, JCS 4025 to CINCPAC (info COMUSMACV), 19 Aug 71.

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Vietnam as proposed by CINCPAC and the Joint Chiefs of Staff. Rather, he directed the return of all stocks to the United States "as quickly as practical"; those with unacceptable levels of impurities would be incinerated once returned. The Joint Chiefs of Staff assigned the Chief of Staff, US Air Force, the task of transporting the Orange to the United States. Subsequently, the Assistant Secretary of Defense (Public Affairs) prepared a brief public statement, with follow-up questions and answers, concerning the disposition of herbicides for use by COMUSMACV and CINCPAC. With regard to a possible query about the length of time it took to decide to return the stocks of Orange to the United States following the suspension in April 1970, the Assistant Secretary suggested a response along the lines that the original suspension was only temporary and did not become permanent until many months later.⁵²

(C) The President's 18 August 1971 decision authorized defoliation in Vietnam only until 1 December 1971. On 29 September, however, CINCPAC told the Joint Chiefs of Staff of the continuing requirement for vegetation control around fire bases and US installations. Since no other method was as effective as herbicides, he requested permission for US forces to use agents White and Blue in Vietnam on a continuing basis.⁵³

52. (S-GP 3) Memo, SecDef to CJCS, 13 Sep 71, Att to JCS 1837/261-4, 15 Sep 71; (S-GP 4) MJCS-290-71 to CSA, CNO, and CSAF, 27 Sep 71, Att to 1st N/H of JCS 1837/261-4, 27 Sep 71; JMF 313 (15 Apr 70) sec 1. (C-GP 4) Msg, SecDef 2297 to CINCPAC and COMUSMACV, 8 Nov 71, same file, sec 2.

53. (S-GP 4) Msg, CINCPAC to JCS, 291124Z Sep 71, JMF 911/313 (6 Mar 71).

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(C) The Joint Chiefs of Staff supported the field commander. They told the Secretary of Defense on 1 November 1971 of their awareness of the political implications of continued use of herbicides in Vietnam. On the other hand, lives were being lost as a "direct result" of inadequate defoliation around allied bases, and saving military lives, the Joint Chiefs of Staff believed, should take precedence over the political issues. Moreover, they pointed out that the termination date of 1 December 1971 had no military significance. United States forces and installations would still need protection beyond that date. Therefore they asked the Secretary of Defense to obtain Presidential authority for continuing employment of herbicides in areas surrounding US fire support bases and installations for as long as US troops were "tactically committed in the RVN."⁵⁴

(S) The Acting Secretary of Defense, Mr. Packard, relayed the JCS request to the President on 3 November, and the President reached a decision on 26 November. After 1 December 1971, the US Ambassador in Saigon and COMUSMACV would continue to have "joint authority" to use herbicides around US bases and installations when "considered essential for the protection of US forces in those cases where other means are not available or satisfactory." Such use would still be limited to base and installation perimeter operations conducted by helicopter or ground-bases spray equipment, under the same regulations applied in the United States. Further, the President directed that the United States not take the initiative in any plans for Vietnamization of

⁵⁴. (S-GP 4) JCSM-478-71 to SecDef, 1 Nov 71 (derived from JCS 2472/728-3), JMF 911/313 (6 Mar 71).

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herbicide capabilities or the provision of spray equipment, training, or technical assistance to the South Vietnamese.⁵⁵ In addition, he wanted no encouragement of the South Vietnamese to acquire or develop herbicide capabilities. Should they request such assistance, the United States would provide only such ground spray equipment as the Ambassador in Saigon and COMUSMACV determined necessary and was available in Vietnam and not required by US forces.⁵⁶

A State-Defense Dispute

(S) On 3 December, the Secretary of Defense appealed to the President to reconsider his decision with respect to assisting the South Vietnamese in attaining a herbicide capability. Specifically, Secretary Laird asked the President to authorize the turnover of 15 US helicopter spray systems then in Vietnam to the South Vietnamese, the removal of the prohibition against any US initiative toward the development of a South

55. On 9 August 1971, the Secretary of Defense had provided the President a proposal to supply a herbicide capability to the South Vietnamese, and on 30 September, the Secretary of State commented on this proposal, more than likely opposing it. The President referred to both communications in his decision memorandum on 26 November, but neither the Secretary of Defense nor the Secretary of State memorandums are in the file of the Joint Chiefs of Staff. The Office of the Secretary of Defense was unable to locate these documents.

56. (S) Extracts of NSDM 141, 26 Nov 71, JMF 001 (CY 1971) sec 2.

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Vietnamese herbicide capability, and expeditious approval of provision of herbicide stocks to the South Vietnamese in addition to those already in Vietnam.⁵⁷

(S) Once again the Secretary of State disagreed. He did not think a case had been made for providing the helicopter spray systems to the South Vietnamese, he told the President on 4 February 1972. Moreover, he believed that "it would be to our distinct advantage to phase out the program of providing additional herbicide stocks to the Vietnamese as quickly as possible without jeopardizing the RVNAF military posture." He did recognize the military value of herbicides to US and South Vietnamese forces for installation defense. Should the South Vietnamese wish to continue to employ herbicides for this purpose, the Secretary of State believed the GVN should move as rapidly as possible to direct procurement of stocks through commercial channels. To this end, he suggested to the President that Ambassador Bunker raise the problem with the GVN. No change would be required in the President's 26 November 1971 decision.⁵⁸

(S) On 14 February 1972, President Nixon ruled on the matter of providing South Vietnam a herbicide capability. The United States would not make an open-ended commitment to supply additional stocks of herbicides to the Government of Vietnam; rather it would encourage the South Vietnamese to establish

57. Memo, SecDef to Pres, 3 Dec 71, cited in (S) Memo, SecState to Pres, 4 Feb 72, Att to JCS 1837/274, 23 Feb 74, JMF 911/313 (4 Feb 72).

58. (S) Memo, SecState to Pres, 4 Feb 72, Att to JCS 1837/274, 23 Feb 72, same file.

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alternative commercial supply channels. Until such sources could be established, the President authorized US forces to supply limited amounts of herbicides to the South Vietnamese for base and installation perimeter operations and LOC control. With regard to the supply of helicopter spray systems, the President granted COMUSMACV and Ambassador Bunker authority, "given a requirement from the GVN," to provide those systems presently possessed by US forces in South Vietnam. These systems would be furnished with the understanding that they would be used only for base and installation perimeter operations. The provision of ground spray equipment, as authorized on 26 November 1971, was not affected. The President still wanted no encouragement or stimulation of the GVN to acquire or develop a herbicide capability beyond that required for perimeter operations.⁵⁹

(S) The President's decision resolved the dispute between the Defense and State Departments, and the two Departments dispatched joint instructions to COMUSMACV and Ambassador Bunker. Thereafter the United States proceeded to transfer the remaining in-country helicopter and ground spray equipment to the South Vietnamese for base perimeter defense and also requested the GVN to establish alternate, commercial supply channels for such herbicide stocks required in the future. Simultaneously, US forces continued limited helicopter and ground spray herbicide missions in South Vietnam to improve base security, using existing supplies of Blue and White. United States forces retained authority for these limited herbicide operations throughout the remainder of their presence in South Vietnam. During 1972, the remaining stocks of Orange in South Vietnam,

⁵⁹. (S) Extracts of NSDM 152, 14 Feb 72, JMF 001 (CY 1972) sec 1.

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some 1,387,045 gallons, were moved to Johnston Island for temporary storage pending disposal in the United States.⁶⁰

The End of US Herbicide Operations

(U) The withdrawal of US forces from South Vietnam during the period January-March 1973 ended all US herbicide activity in Southeast Asia. By that time, however, South Vietnam did possess a limited capability for herbicide operations supplied by the United States before its military departure.

(U) Following the termination of all US herbicide operations in South Vietnam and the withdrawal of US military forces, there was one further event in the story of US herbicide activity in Vietnam. As a result of the continuing controversy over these operations, the Congress had enacted legislation in 1970 requiring the Secretary of Defense to have the National Academy of Sciences conduct a comprehensive investigation of the ecological and psychological effects of herbicide spraying in Vietnam, and this task was not completed until 1974.

60. (TS-NOFORN-EX) COMUSMACV Command History, Jan 72-Mar 73, (S) p. 36. (TS-GP 1) Msg, JCS 6432 to CINCPAC (info COMUSMACV), 24 Mar 72. (TS-GP 1) Msg, JCS 6393 to CINCPAC and COMUSMACV, 29 Apr 72; (TS-EX) Msg, JCS 6895 to CINCPAC and CINCSAC (info COMUSMACV), 30 Oct 72. (TS) Rpt, NSC Interdepartmental Political-Military Group, "Annual Review of US Chemical Warfare and Biological Research Programs as of July 1, 1972," 26 Oct 72 (pp. 24-28), Encl to Att to JCS 1837/279, 18 Nov 72, JMF 313 (15 Nov 72). (U) Memo, SecAF to SecDef, 31 May 72, Att to JCS 1837/261-7, 6 Jun 72, JMF 313 (15 Apr 70) sec 2.

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(U) The National Academy of Sciences presented its findings to the Congress and the Secretary of Defense on 15 February 1974. The investigation had been accomplished by a specially appointed committee of experts, headed by Professor Anton Lang of Michigan State University, a "renowned" plant physiologist. Other members included several additional US scientists as well as ones from South Vietnam, Britain, Canada, and Sweden. This committee visited South Vietnam and had access to pertinent classified DOD information and records.⁶¹

(U) The investigating committee found no indication of direct damage to human health from US herbicide activity in South Vietnam. Examination of hospital records provided no conclusive evidence of association between exposure to herbicides and human birth defects. The sociological, economic, and psychological effects on the South Vietnamese population were more difficult to assess. In fact, the psychological impact could not be measured at all, though the committee did state that the use of herbicides was "an emotionally charged symbol standing for many apprehensions and distresses." The committee did find that herbicide spraying had caused displacement of people from their homes and had contributed to the urbanization of South Vietnam. But the extent of the influence of herbicides in comparison with other military activities in producing population displacement could not be determined.

(U) Chemical spraying had also damaged crops, the committee reported, but, generally, had not resulted

61. All information about the National Academy investigation and report is from (U) National Academy of Sciences, The Effects of Herbicides in South Vietnam, Washington, 1974.

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in loss of production for longer than one growing season. With regard to damage to other vegetation, the committee reported mixed findings. Mangrove forests had been heavily damaged and the committee estimated more than 100 years would be needed for reforestation. On the other hand, damage to inland forests, which had received three quarters of all the spraying in Vietnam, was not as readily apparent. The committee believed that most inland forest areas would recover if "large-scale rehabilitation" was undertaken. Further the committee found no permanent damage to the soil. On the basis of tests, it concluded that toxic residues of herbicides had disappeared within one year. Even where traces did persist, they did not seem to hinder the return of native vegetation.

(U) In the end, the National Academy of Sciences' examination did not resolve the controversy over the US employment of herbicides in South Vietnam. The Academy's committee of experts did determine that herbicide spraying had caused ecological damage to the Vietnamese landscape. The committee did not answer, nor did it attempt to, the more difficult question of whether the herbicide damage was any worse than that caused by other types of military activity.

(U) As a final footnote, it should be mentioned that after the US military involvement in Vietnam ended and the controversy over the use of herbicides there had quieted, the United States became a party to the Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare. The Senate gave its consent on 16 December 1974, and the President ratified the Protocol on 22 January 1975; it became effective for the United States on 23 March 1975, some 50 years after it was originally written.⁶²

62. Washington Post, 23 Jan 75, 15. 26 UST 571.

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APPENDIX 2

US REDEPLOYMENTS, 1969-1972

US REDEPLOYMENTS, 1969-1972

INCREMENT	PERIOD	AUTHORIZED CEILING	SPACES REDUCED	COMBAT MVR BN	FORCES ARTY. BN	ATK/FTR SQDNS*
I (KEYSTONE EAGLE)	1 Jul-31 Aug 69	524,500	25,000	9	6	1
II (KEYSTONE CARDINAL)	17 Sep-15 Dec 69	484,000	40,500	10	6	4
III (KEYSTONE BLUEJAY)	30 Dec 69-15 Apr 70	434,000	50,000	17	11	6
IV (KEYSTONE ROBIN ALPHA)	5 Jun-15 Oct 70	384,000	50,000	11	5	11
V (KEYSTONE ROBIN BRAVO)	16 Oct-31 Dec 70	344,000	40,000	14	8	0
VI (KEYSTONE ROBIN CHARLIE)	1 Jan-30 Apr 71	284,000	60,000	15	8	0
VII (KEYSTONE ORIOLE ALPHA)	1 May-30 Jun 71	254,700	29,300	6	2	2
VIII (KEYSTONE ORIOLE BRAVO)	1 Jul-31 Aug 71	226,000	28,700	6	5	5

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US REDEPLOYMENTS, 1969-1972 (CONTINUED)

INCREMENT	PERIOD	AUTHORIZED CEILING	SPACES REDUCED	COMBAT FORCES MVR BN ARTY BN	ATK/FTR SQDNS*
IX (KEYSTONE ORIOLE CHARLIE)	1 Sep-30 Nov 71	184,000	42,000	8 10	2
X (KEYSTONE MALLARD)	1 Dec 71-31 Jan 72	139,000	45,000	6 5	2
XI (KEYSTONE OWL)	1 Feb-30 Apr 72	69,000	70,000	11 3	0
XII (KEYSTONE PHEASANT)	1 May-30 Jun 72	49,000	20,000	4 2	7
XIII (KEYSTONE WREN)	1 Jul-31 Aug 72	39,000	10,000	3 0	0
XIV (KEYSTONE PELICAN)	1 Sep-30 Nov 72	27,000	12,000	0 0	0

* Includes both USAF and USMC squadrons

Source: COMUSMACV Command History, 1971, p. F-1-1; COMUSMACV Command History, Jan 72-Mar 73, pp. F-56 - F-60

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APPENDIX 3

TEXT OF THE VIETNAM AGREEMENT AND
ACCOMPANYING PROTOCOLS

APPENDIX 3

TEXT OF THE
VIETNAM AGREEMENT AND ACCOMPANYING PROTOCOLS
SIGNED BY
THE REPUBLIC OF VIETNAM, THE PROVISIONAL
REVOLUTIONARY GOVERNMENT OF SOUTH VIETNAM,
THE DEMOCRATIC REPUBLIC OF VIETNAM, AND
THE UNITED STATES
IN PARIS
ON 27 JANUARY 1973

AGREEMENT ON ENDING THE WAR
AND
RESTORING PEACE IN VIETNAM

The Parties participating in the Paris Conference on Vietnam,

With a view to ending the war and restoring peace in Vietnam on the basis of respect for the Vietnamese people's fundamental national rights and the South Vietnamese people's right to self-determination, and to contributing to the consolidation of peace in Asia and the world,

Have agreed on the following provisions and undertake to respect and to implement them:

Chapter I

THE VIETNAMESE PEOPLE'S
FUNDAMENTAL NATIONAL RIGHTS

Article 1

The United States and all other countries respect the independence, sovereignty, unity, and territorial integrity of Vietnam as recognized by the 1954 Geneva Agreements on Vietnam.

Chapter II

CESSATION OF HOSTILITIES—WITHDRAWAL OF TROOPS

Article 2

A cease-fire shall be observed throughout South Vietnam as of 2400 hours G.M.T., on January 27, 1973.

At the same hour, the United States will stop all its military activities against the territory of the Democratic Republic of Vietnam by ground, air and naval forces, wherever they may be based, and end

the mining of the territorial waters, ports, harbors, and waterways of the Democratic Republic of Vietnam. The United States will remove, permanently deactivate or destroy all the mines in the territorial waters, ports, harbors, and waterways of North Vietnam as soon as this Agreement goes into effect.

The complete cessation of hostilities mentioned in this Article shall be durable and without limit of time.

Article 3

The parties undertake to maintain the cease-fire and to ensure a lasting and stable peace.

As soon as the cease-fire goes into effect:

(a) The United States forces and those of the other foreign countries allied with the United States and the Republic of Vietnam shall remain in-place pending the implementation of the plan of troop withdrawal. The Four-Party Joint Military Commission described in Article 16 shall determine the modalities.

(b) The armed forces of the two South Vietnamese parties shall remain in-place. The Two-Party Joint Military Commission described in Article 17 shall determine the areas controlled by each party and the modalities of stationing.

(c) The regular forces of all services and arms and the irregular forces of the parties in South Vietnam shall stop all offensive activities against each other and shall strictly abide by the following stipulations:

—All acts of force on the ground, in the air, and on the sea shall be prohibited;

—All hostile acts, terrorism and reprisals by both sides will be banned.

Article 4

The United States will not continue its military involvement or intervene in the internal affairs of South Vietnam.

Article 5

Within sixty days of the signing of this Agreement, there will be a total withdrawal from South Vietnam of troops, military advisers, and military personnel, including technical military personnel and military personnel associated with the pacification program, armaments, munitions, and war material of the United States and those of the other foreign countries mentioned in Article 3 (a). Advisers from the above-mentioned countries to all paramilitary organizations and the police force will also be withdrawn within the same period of time.

Article 6

The dismantlement of all military bases in South Vietnam of the United States and of the other foreign countries mentioned in Article 3 (a) shall be completed within sixty days of the signing of this Agreement.

Article 7

From the enforcement of the cease-fire to the

formation of the government provided for in Articles 9 (b) and 14 of this Agreement, the two South Vietnamese parties shall not accept the introduction of troops, military advisers, and military personnel including technical military personnel, armaments, munitions, and war material into South Vietnam.

The two South Vietnamese parties shall be permitted to make periodic replacement of armaments, munitions and war material which have been destroyed, damaged, worn out or used up after the cease-fire, on the basis of piece-for-piece, of the same characteristics and properties, under the supervision of the Joint Military Commission of the two South Vietnamese parties and of the International Commission of Control and Supervision.

Chapter III

THE RETURN OF CAPTURED MILITARY PERSONNEL AND FOREIGN CIVILIANS, AND CAPTURED AND DETAINED VIETNAMESE CIVILIAN PERSONNEL

Article 8

(a) The return of captured military personnel and foreign civilians of the parties shall be carried out simultaneously with and completed not later than the same day as the troop withdrawal mentioned in Article 5. The parties shall exchange complete lists of the above-mentioned captured military personnel and foreign civilians on the day of the signing of this Agreement.

(b) The parties shall help each other to get information about those military personnel and foreign civilians of the parties missing in action, to determine the location and take care of the graves of the dead so as to facilitate the exhumation and repatriation of the remains, and to take any such other measures as may be required to get information about those still considered missing in action.

(c) The question of the return of Vietnamese civilian personnel captured and detained in South Vietnam will be resolved by the two South Vietnamese parties on the basis of the principles of Article 21 (b) of the Agreement on the Cessation of Hostilities in Vietnam of July 20, 1954. The two South Vietnamese parties will do so in a spirit of national reconciliation and concord, with a view to ending hatred and enmity, in order to ease suffering and to reunite families. The two South Vietnamese parties will do their utmost to resolve this question within ninety days after the cease-fire comes into effect.

Chapter IV

THE EXERCISE OF THE SOUTH VIETNAMESE PEOPLE'S RIGHT TO SELF-DETERMINATION

Article 9

The Government of the United States of America and the Government of the Democratic Republic of Vietnam undertake to respect the following principles for the exercise of the South Vietnamese people's right to self-determination:

(a) The South Vietnamese people's right to self-

determination is sacred, inalienable, and shall be respected by all countries.

(b) The South Vietnamese people shall decide themselves the political future of South Vietnam through genuinely free and democratic general elections under international supervision.

(c) Foreign countries shall not impose any political tendency or personality on the South Vietnamese people.

Article 10

The two South Vietnamese parties undertake to respect the cease-fire and maintain peace in South Vietnam, settle all matters of contention through negotiations, and avoid all armed conflict.

Article 11

Immediately after the cease-fire, the two South Vietnamese parties will:

—achieve national reconciliation and concord, end hatred and enmity, prohibit all acts of reprisal and discrimination against individuals or organizations that have collaborated with one side or the other;

—ensure the democratic liberties of the people: personal freedom, freedom of speech, freedom of the press, freedom of meeting, freedom of organization, freedom of political activities, freedom of belief, freedom of movement, freedom of residence, freedom of work, right to property ownership, and right to free enterprise.

Article 12

(a) Immediately after the cease-fire, the two South Vietnamese parties shall hold consultations in a spirit of national reconciliation and concord, mutual respect, and mutual non-elimination to set up a National Council of National Reconciliation and Concord of three equal segments. The Council shall operate on the principle of unanimity. After the National Council of National Reconciliation and Concord has assumed its functions, the two South Vietnamese parties will consult about the formation of councils at lower levels. The two South Vietnamese parties shall sign an agreement on the internal matters of South Vietnam as soon as possible and do their utmost to accomplish this within ninety days after the cease-fire comes into effect, in keeping with the South Vietnamese people's aspirations for peace, independence and democracy.

(b) The National Council of National Reconciliation and Concord shall have the task of promoting the two South Vietnamese parties' implementation of this Agreement, achievement of national reconciliation and concord and ensurance of democratic liberties. The National Council of National Reconciliation and Concord will organize the free and democratic general elections provided for in Article 9 (b) and decide the procedures and modalities of these general elections. The institutions for which the general elections are to be held will be agreed upon through consultations between the two South

Vietnamese parties. The National Council of National Reconciliation and Concord will also decide the procedures and modalities of such local elections as the two South Vietnamese parties agree upon.

Article 13

The question of Vietnamese armed forces in South Vietnam shall be settled by the two South Vietnamese parties in a spirit of national reconciliation and concord, equality and mutual respect, without foreign interference, in accordance with the postwar situation. Among the questions to be discussed by the two South Vietnamese parties are steps to reduce their military effectives and to demobilize the troops being reduced. The two South Vietnamese parties will accomplish this as soon as possible.

Article 14

South Vietnam will pursue a foreign policy of peace and independence. It will be prepared to establish relations with all countries irrespective of their political and social systems on the basis of mutual respect for independence and sovereignty and accept economic and technical aid from any country with no political conditions attached. The acceptance of military aid by South Vietnam in the future shall come under the authority of the government set up after the general elections in South Vietnam provided for in Article 9 (b).

Chapter V

THE REUNIFICATION OF VIETNAM AND THE RELATIONSHIP BETWEEN NORTH AND SOUTH VIETNAM

Article 15

The reunification of Vietnam shall be carried out step by step through peaceful means on the basis of discussions and agreements between North and South Vietnam, without coercion or annexation by either party, and without foreign interference. The time for reunification will be agreed upon by North and South Vietnam.

Pending reunification:

(a) The military demarcation line between the two zones at the 17th parallel is only provisional and not a political or territorial boundary, as provided for in paragraph 6 of the Final Declaration of the 1954 Geneva Conference.

(b) North and South Vietnam shall respect the Demilitarized Zone on either side of the Provisional Military Demarcation Line.

(c) North and South Vietnam shall promptly start negotiations with a view to reestablishing normal relations in various fields. Among the questions to be negotiated are the modalities of civilian movement across the Provisional Military Demarcation Line.

(d) North and South Vietnam shall not join any military alliance or military bloc and shall not allow foreign powers to maintain military bases, troops, military advisers, and military personnel on

their respective territories, as stipulated in the 1954 Geneva Agreements on Vietnam.

Chapter VI

THE JOINT MILITARY COMMISSIONS, THE INTERNATIONAL COMMISSION OF CONTROL AND SUPERVISION, THE INTERNATIONAL CONFERENCE

Article 16

(a) The Parties participating in the Paris Conference on Vietnam shall immediately designate representatives to form a Four-Party Joint Military Commission with the task of ensuring joint action by the parties in implementing the following provisions of this Agreement:

—The first paragraph of Article 2, regarding the enforcement of the cease-fire throughout South Vietnam;

—Article 3 (a), regarding the cease-fire by U.S. forces and those of the other foreign countries referred to in that Article;

—Article 3 (c), regarding the cease-fire between all parties in South Vietnam;

—Article 5, regarding the withdrawal from South Vietnam of U.S. troops and those of the other foreign countries mentioned in Article 3 (a);

—Article 6, regarding the dismantlement of military bases in South Vietnam of the United States and those of the other foreign countries mentioned in Article 3 (a);

—Article 8 (a), regarding the return of captured military personnel and foreign civilians of the parties;

—Article 8 (b), regarding the mutual assistance of the parties in getting information about those military personnel and foreign civilians of the parties missing in action.

(b) The Four-Party Joint Military Commission shall operate in accordance with the principle of consultations and unanimity. Disagreements shall be referred to the International Commission of Control and Supervision.

(c) The Four-Party Joint Military Commission shall begin operating immediately after the signing of this Agreement and end its activities in sixty days, after the completion of the withdrawal of U.S. troops and those of the other foreign countries mentioned in Article 3 (a) and the completion of the return of captured military personnel and foreign civilians of the parties.

(d) The four parties shall agree immediately on the organization, the working procedure, means of activity, and expenditures of the Four-Party Joint Military Commission.

Article 17

(a) The two South Vietnamese parties shall immediately designate representatives to form a Two-Party Joint Military Commission with the task of ensuring joint action by the two South Vietnamese

parties in implementing the following provisions of this Agreement:

—The first paragraph of Article 2, regarding the enforcement of the cease-fire throughout South Vietnam, when the Four-Party Joint Military Commission has ended its activities;

—Article 3 (b), regarding the cease-fire between the two South Vietnamese parties;

—Article 3 (c), regarding the cease-fire between all parties in South Vietnam, when the Four-Party Joint Military Commission has ended its activities;

—Article 7, regarding the prohibition of the introduction of troops into South Vietnam and all other provisions of this article;

—Article 8 (c), regarding the question of the return of Vietnamese civilian personnel captured and detained in South Vietnam;

—Article 13, regarding the reduction of the military effectives of the two South Vietnamese parties and the demobilization of the troops being reduced.

(b) Disagreements shall be referred to the International Commission of Control and Supervision.

(c) After the signing of this Agreement, the Two-Party Joint Military Commission shall agree immediately on the measures and organization aimed at enforcing the cease-fire and preserving peace in South Vietnam.

Article 18

(a) After the signing of this Agreement, an International Commission of Control and Supervision shall be established immediately.

(b) Until the International Conference provided for in Article 19 makes definitive arrangements, the International Commission of Control and Supervision will report to the four parties on matters concerning the control and supervision of the implementation of the following provisions of this Agreement:

—The first paragraph of Article 2, regarding the enforcement of the cease-fire throughout South Vietnam;

—Article 3 (a), regarding the cease-fire by U.S. forces and those of the other foreign countries referred to in that Article;

—Article 3 (c), regarding the cease-fire between all the parties in South Vietnam;

—Article 5, regarding the withdrawal from Vietnam of U.S. troops and those of the other foreign countries mentioned in Article 3 (a);

—Article 6, regarding the dismantlement of military bases in South Vietnam of the United States and those of the other foreign countries mentioned in Article 3 (a);

—Article 8 (a), regarding the return of captured military personnel and foreign civilians of the parties.

The International Commission of Control and Supervision shall form control teams for carrying

out its tasks. The four parties shall agree immediately on the location and operation of these teams. The parties will facilitate their operation.

(c) Until the International Conference makes definitive arrangements, the International Commission of Control and Supervision will report to the two South Vietnamese parties on matters concerning the control and supervision of the implementation of the following provisions of this Agreement:

—The first paragraph of Article 2, regarding the enforcement of the cease-fire throughout South Vietnam, when the Four-Party Joint Military Commission has ended its activities;

—Article 3 (b), regarding the cease-fire between the two South Vietnamese parties;

—Article 3 (c), regarding the cease-fire between all parties in South Vietnam, when the Four-Party Joint Military Commission has ended its activities;

—Article 7, regarding the prohibition of the introduction of troops into South Vietnam and all other provisions of this Article;

—Article 8 (c), regarding the question of the return of Vietnamese civilian personnel captured and detained in South Vietnam;

—Article 9 (b), regarding the free and democratic general elections in South Vietnam;

—Article 13, regarding the reduction of the military effectives of the two South Vietnamese parties and the demobilization of the troops being reduced.

The International Commission of Control and Supervision shall form control teams for carrying out its tasks. The two South Vietnamese parties shall agree immediately on the location and operation of these teams. The two South Vietnamese parties will facilitate their operation.

(d) The International Commission of Control and Supervision shall be composed of representatives of four countries: Canada, Hungary, Indonesia and Poland. The chairmanship of this Commission will rotate among the members for specific periods to be determined by the Commission.

(e) The International Commission of Control and Supervision shall carry out its tasks in accordance with the principle of respect for the sovereignty of South Vietnam.

(f) The International Commission of Control and Supervision shall operate in accordance with the principle of consultations and unanimity.

(g) The International Commission of Control and Supervision shall begin operating when a cease-fire comes into force in Vietnam. As regards the provisions in Article 18 (b) concerning the four parties, the International Commission of Control and Supervision shall end its activities when the Commission's tasks of control and supervision regarding these provisions have been fulfilled. As regards the provisions in Article 18 (c) concerning the two South Vietnamese parties, the International Commission of Control and Supervision shall end

its activities on the request of the government formed after the general elections in South Vietnam provided for in Article 9 (b).

(h) The four parties shall agree immediately on the organization, means of activity, and expenditures of the International Commission of Control and Supervision. The relationship between the International Commission and the International Conference will be agreed upon by the International Commission and the International Conference.

Article 19

The parties agree on the convening of an International Conference within thirty days of the signing of this Agreement to acknowledge the signed agreements; to guarantee the ending of the war, the maintenance of peace in Vietnam, the respect of the Vietnamese people's fundamental national rights, and the South Vietnamese people's right to self-determination; and to contribute to and guarantee peace in Indochina.

The United States and the Democratic Republic of Vietnam, on behalf of the parties participating in the Paris Conference on Vietnam, will propose to the following parties that they participate in this International Conference: the People's Republic of China, the Republic of France, the Union of Soviet Socialist Republics, the United Kingdom, the four countries of the International Commission of Control and Supervision, and the Secretary General of the United Nations, together with the parties participating in the Paris Conference on Vietnam.

Chapter VII

REGARDING CAMBODIA AND LAOS

Article 20

(a) The parties participating in the Paris Conference on Vietnam shall strictly respect the 1954 Geneva Agreements on Cambodia and the 1962 Geneva Agreements on Laos, which recognized the Cambodian and the Lao peoples' fundamental national rights, i.e., the independence, sovereignty, unity, and territorial integrity of these countries. The parties shall respect the neutrality of Cambodia and Laos.

The parties participating in the Paris Conference on Vietnam undertake to refrain from using the territory of Cambodia and the territory of Laos to encroach on the sovereignty and security of one another and of other countries.

(b) Foreign countries shall put an end to all military activities in Cambodia and Laos, totally withdraw from and refrain from reintroducing into these two countries troops, military advisers and military personnel, armaments, munitions and war material.

(c) The internal affairs of Cambodia and Laos shall be settled by the people of each of these countries without foreign interference.

(d) The problems existing between the Indo-

Chinese countries shall be settled by the Indochinese parties on the basis of respect for each other's independence, sovereignty, and territorial integrity, and non-interference in each other's internal affairs.

Chapter VIII

THE RELATIONSHIP BETWEEN THE UNITED STATES AND THE DEMOCRATIC REPUBLIC OF VIETNAM

Article 21

The United States anticipates that this Agreement will usher in an era of reconciliation with the Democratic Republic of Vietnam as with all the peoples of Indochina. In pursuance of its traditional policy, the United States will contribute to healing the wounds of war and to postwar reconstruction of the Democratic Republic of Vietnam and throughout Indochina.

Article 22

The ending of the war, the restoration of peace in Vietnam, and the strict implementation of this Agreement will create conditions for establishing a new, equal and mutually beneficial relationship between the United States and the Democratic Republic of Vietnam on the basis of respect for each other's independence and sovereignty, and non-interference in each other's internal affairs. At the same time this will ensure stable peace in Vietnam and contribute to the preservation of lasting peace in Indochina and Southeast Asia.

Chapter IX

OTHER PROVISIONS

Article 23

This Agreement shall enter into force upon signature by plenipotentiary representatives of the parties participating in the Paris Conference on Vietnam. All the parties concerned shall strictly implement this Agreement and its Protocols.

DONE in Paris this twenty-seventh day of January, One Thousand Nine Hundred and Seventy-Three, in Vietnamese and English. The Vietnamese and English texts are official and equally authentic.

[Separate Numbered Page]

For the Government of the United States of America	For the Government of the Republic of Vietnam
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WILLIAM P. ROGERS
Secretary of State

TRAN VAN LAM
*Minister for Foreign
Affairs*

[Separate Numbered Page]

For the Government of
the Democratic Republic
of Vietnam

NGUYEN DUY TRINH
*Minister for Foreign
Affairs*

For the Provisional Rev-
olutionary Government
of the Republic of South
Vietnam

NGUYEN THI BINH
*Minister for Foreign
Affairs*

AGREEMENT ON ENDING THE WAR AND RESTORING PEACE IN VIETNAM

The Government of the United States of America, with the concurrence of the Government of the Republic of Vietnam,

The Government of the Democratic Republic of Vietnam, with the concurrence of the Provisional Revolutionary Government of the Republic of South Vietnam,

With a view to ending the war and restoring peace in Vietnam on the basis of respect for the Vietnamese people's fundamental national rights and the South Vietnamese people's right to self-determination, and to contributing to the consolidation of peace in Asia and the world,

Have agreed on the following provisions and undertake to respect and to implement them:

[Text of Agreement Chapters I-VIII Same As Above]

Chapter IX

OTHER PROVISIONS

Article 23

The Paris Agreement on Ending the War and Restoring Peace in Vietnam shall enter into force upon signature of this document by the Secretary of State of the Government of the United States of America and the Minister for Foreign Affairs of the Government of the Democratic Republic of Vietnam, and upon signature of a document in the same terms by the Secretary of State of the Government of the United States of America, the Minister for Foreign Affairs of the Government of the Republic of Vietnam, the Minister for Foreign Affairs of the Government of the Democratic Republic of Vietnam, and the Minister for Foreign Affairs of the Provisional Revolutionary Government of the Republic of South Vietnam. The Agreement and the protocols to it shall be strictly implemented by all the parties concerned.

DONE in Paris this twenty-seventh day of January, One Thousand Nine Hundred and Seventy-Three, in Vietnamese and English. The Vietnamese and English texts are official and equally authentic.

For the Government of the United States of America	For the Government of the Democratic Republic of Vietnam
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WILLIAM P. ROGERS
Secretary of State

NGUYEN DUY TRINH
*Minister for Foreign
Affairs*

Protocol on Prisoners and Detainees

PROTOCOL TO THE AGREEMENT ON ENDING THE WAR AND RESTORING PEACE IN VIETNAM CONCERNING THE RETURN OF CAPTURED MILITARY PERSONNEL AND FOREIGN CIVILIANS AND CAPTURED AND DETAINED VIETNAMESE CIVILIAN PERSONNEL.

The Parties participating in the Paris Conference on Vietnam,

In implementation of Article 8 of the Agreement on Ending the War and Restoring Peace in Vietnam signed on this date providing for the return of captured military personnel and foreign civilians, and captured and detained Vietnamese civilian personnel, Have agreed as follows:

THE RETURN OF CAPTURED MILITARY PERSONNEL AND FOREIGN CIVILIANS

Article 1

The parties signatory to the Agreement shall return the captured military personnel of the parties mentioned in Article 8 (a) of the Agreement as follows:

—all captured military personnel of the United States and those of the other foreign countries mentioned in Article 3 (a) of the Agreement shall be returned to United States authorities;

—all captured Vietnamese military personnel, whether belonging to regular or irregular armed forces, shall be returned to the two South Vietnamese parties; they shall be returned to that South Vietnamese party under whose command they served.

Article 2

All captured civilians who are nationals of the United States or of any other foreign countries mentioned in Article 3 (a) of the Agreement shall be returned to United States authorities. All other captured foreign civilians shall be returned to the authorities of their country of nationality by any one of the parties willing and able to do so.

Article 3

The parties shall today exchange complete lists of captured persons mentioned in Articles 1 and 2 of this Protocol.

Article 4

(a) The return of all captured persons mentioned in Articles 1 and 2 of this Protocol shall be completed within sixty days of the signing of the Agreement at a rate no slower than the rate of withdrawal from South Vietnam of United States forces and those of the other foreign countries mentioned in Article 5 of the Agreement.

(b) Persons who are seriously ill, wounded or maimed, old persons and women shall be returned first. The remainder shall be returned either by returning all from one detention place after another or in order of their dates of capture, beginning with those who have been held the longest.

Article 5

The return and reception of the persons mentioned in Articles 1 and 2 of this Protocol shall be carried out at places convenient to the concerned parties. Places of return shall be agreed upon by the Four-Party Joint Military Commission. The parties shall ensure the safety of personnel engaged in the return and reception of those persons.

Article 6

Each party shall return all captured persons mentioned in Articles 1 and 2 of this Protocol without delay and shall facilitate their return and reception. The detaining parties shall not deny or delay their return for any reason, including the fact that captured persons may, on any grounds, have been prosecuted or sentenced.

THE RETURN OF CAPTURED AND DETAINED VIETNAMESE CIVILIAN PERSONNEL

Article 7

(a) The question of the return of Vietnamese civilian personnel captured and detained in South Vietnam will be resolved by the two South Vietnamese parties on the basis of the principles of Article 21 (b) of the Agreement on the Cessation of Hostilities in Vietnam of July 20, 1954, which reads as follows:

"The term 'civilian internees' is understood to mean all persons who, having in any way contributed to the political and armed struggle between the two parties, have been arrested for that reason and have been kept in detention by either party during the period of hostilities."

(b) The two South Vietnamese parties will do so in a spirit of national reconciliation and concord with a view to ending hatred and enmity in order to ease suffering and to reunite families. The two South Vietnamese parties will do their utmost to resolve this question within ninety days after the cease-fire comes into effect.

(c) Within fifteen days after the cease-fire comes into effect, the two South Vietnamese parties shall exchange lists of the Vietnamese civilian personnel captured and detained by each party and lists of the places at which they are held.

TREATMENT OF CAPTURED PERSONS DURING DETENTION

Article 8

(a) All captured military personnel of the parties and captured foreign civilians of the parties shall be treated humanely at all times, and in accordance with international practice.

They shall be protected against all violence to life and person, in particular against murder in any form, mutilation, torture and cruel treatment, and outrages upon personal dignity. These persons shall not be forced to join the armed forces of the detaining party.

They shall be given adequate food, clothing, shelter, and the medical attention required for their state of health. They shall be allowed to exchange post cards and letters with their families and receive parcels.

(b) All Vietnamese civilian personnel captured and detained in South Vietnam shall be treated humanely at all times, and in accordance with international practice.

They shall be protected against all violence to life and person, in particular against murder in any

form, mutilation, torture and cruel treatment, and outrages against personal dignity. The detaining parties shall not deny or delay their return for any reason, including the fact that captured persons may, on any grounds, have been prosecuted or sentenced. These persons shall not be forced to join the armed forces of the detaining party.

They shall be given adequate food, clothing, shelter, and the medical attention required for their state of health. They shall be allowed to exchange post cards and letters with their families and receive parcels.

Article 9

(a) To contribute to improving the living conditions of the captured military personnel of the parties and foreign civilians of the parties, the parties shall, within fifteen days after the cease-fire comes into effect, agree upon the designation of two or more national Red Cross societies to visit all places where captured military personnel and foreign civilians are held.

(b) To contribute to improving the living conditions of the captured and detained Vietnamese civilian personnel, the two South Vietnamese parties shall, within fifteen days after the cease-fire comes into effect, agree upon the designation of two or more national Red Cross societies to visit all places where the captured and detained Vietnamese civilian personnel are held.

WITH REGARD TO DEAD AND MISSING PERSONS

Article 10

(a) The Four-Party Joint Military Commission shall ensure joint action by the parties in implementing Article 8 (b) of the Agreement. When the Four-Party Joint Military Commission has ended its activities, a Four-Party Joint Military team shall be maintained to carry on this task.

(b) With regard to Vietnamese civilian personnel dead or missing in South Vietnam, the two South Vietnamese parties shall help each other to obtain information about missing persons, determine the location and take care of the graves of the dead, in a spirit of national reconciliation and concord, in keeping with the people's aspirations.

OTHER PROVISIONS

Article 11

(a) The Four-Party and Two-Party Joint Military Commissions will have the responsibility of determining immediately the modalities of implementing the provisions of this Protocol consistent with their respective responsibilities under Articles 16 (a) and 17 (a) of the Agreement. In case the Joint Military Commissions, when carrying out their tasks, cannot reach agreement on a matter pertaining to the return of captured personnel they shall refer to the International Commission for its assistance.

(b) The Four-Party Joint Military Commission

shall form, in addition to the teams established by the Protocol concerning the cease-fire in South Vietnam and the Joint Military Commissions, a sub-commission on captured persons and, as required, joint military teams on captured persons to assist the Commission in its tasks.

(c) From the time the cease-fire comes into force to the time when the Two-Party Joint Military Commission becomes operational, the two South Vietnamese parties' delegations to the Four-Party Joint Military Commission shall form a provisional sub-commission and provisional joint military teams to carry out its tasks concerning captured and detained Vietnamese civilian personnel.

(d) The Four-Party Joint Military Commission shall send joint military teams to observe the return of the persons mentioned in Articles 1 and 2 of this Protocol at each place in Vietnam where such persons are being returned, and at the last detention places from which these persons will be taken to the places of return. The Two-Party Joint Military Commission shall send joint military teams to observe the return of Vietnamese civilian personnel captured and detained at each place in South Vietnam where such persons are being returned, and at the last detention places from which these persons will be taken to the places of return.

Article 12

In implementation of Articles 18 (b) and 18 (c) of the Agreement, the International Commission of Control and Supervision shall have the responsibility to control and supervise the observance of Articles 1 through 7 of this Protocol through observation of the return of captured military personnel, foreign civilians and captured and detained Vietnamese civilian personnel at each place in Vietnam where these persons are being returned, and at the last detention places from which these persons will be taken to the places of return, the examination of lists, and the investigation of violations of the provisions of the above-mentioned Articles.

Article 13

Within five days after signature of this Protocol, each party shall publish the text of the Protocol and communicate it to all the captured persons covered by the Protocol and being detained by that party.

Article 14

This Protocol shall come into force upon signature by plenipotentiary representatives of all the parties participating in the Paris Conference on Vietnam. It shall be strictly implemented by all the parties concerned.

DONE in Paris this twenty-seventh day of January, One Thousand Nine Hundred and Seventy-Three, in Vietnamese and English. The Vietnamese and English texts are official and equally authentic.

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[Separate Numbered Page]

For the Government of the United States of America

WILLIAM P. ROGERS
Secretary of State

For the Government of the Republic of Vietnam

TRAN VAN LAM
Minister for Foreign Affairs

[Separate Numbered Page]

For the Government of the Democratic Republic of Vietnam

NGUYEN DUY TRINH
Minister for Foreign Affairs

For the Provisional Revolutionary Government of the Republic of South Vietnam

NGUYEN THI BINH
Minister for Foreign Affairs

PROTOCOL TO THE AGREEMENT ON ENDING THE WAR AND RESTORING PEACE IN VIETNAM CONCERNING THE RETURN OF CAPTURED MILITARY PERSONNEL AND FOREIGN CIVILIANS AND CAPTURED AND DETAINED VIETNAMESE CIVILIAN PERSONNEL

The Government of the United States of America, with the concurrence of the Government of the Republic of Vietnam,

The Government of the Democratic Republic of Vietnam, with the concurrence of the Provisional Revolutionary Government of the Republic of South Vietnam,

In implementation of Article 8 of the Agreement on Ending the War and Restoring Peace in Vietnam signed on this date providing for the return of captured military personnel and foreign civilians, and captured and detained Vietnamese civilian personnel,

Have agreed as follows:

[Text of Protocol Articles 1-13 same as above]

Article 14

The Protocol to the Paris Agreement on Ending the War and Restoring Peace in Vietnam concerning the Return of Captured Military Personnel and Foreign Civilians and Captured and Detained Vietnamese Civilian Personnel shall enter into force upon signature of this document by the Secretary of State of the Government of the United States of America and the Minister for Foreign Affairs of the Government of the Democratic Republic of Vietnam, and upon signature of a document in the same terms by the Secretary of State of the Government of the United States of America, the Minister for Foreign Affairs of the Government of the Republic of Vietnam, the Minister for Foreign Affairs of the Government of the Democratic Republic of Vietnam, and the Minister for Foreign Affairs of the Provisional Revolutionary Government of the Republic of South Vietnam. The Protocol shall be strictly implemented by all the parties concerned.

DONE in Paris this twenty-seventh day of January, One Thousand Nine Hundred and Seventy-

Three, in Vietnamese and English. The Vietnamese and English texts are official and equally authentic.

For the Government of the United States of America

WILLIAM P. ROGERS
Secretary of State

For the Government of the Democratic Republic of Vietnam

NGUYEN DUY TRINH
Minister for Foreign Affairs

Protocol on the International Commission of Control and Supervision

PROTOCOL TO THE AGREEMENT ON ENDING THE WAR AND RESTORING PEACE IN VIETNAM CONCERNING THE INTERNATIONAL COMMISSION OF CONTROL AND SUPERVISION

The parties participating in the Paris Conference on Vietnam,

In implementation of Article 18 of the Agreement on Ending the War and Restoring Peace in Vietnam signed on this date providing for the formation of the International Commission of Control and Supervision,

Have agreed as follows:

Article 1

The implementation of the Agreement is the responsibility of the parties signatory to the Agreement.

The functions of the International Commission are to control and supervise the implementation of the provisions mentioned in Article 18 of the Agreement. In carrying out these functions, the International Commission shall:

(a) Follow the implementation of the above-mentioned provisions of the Agreement through communication with the parties and on-the-spot observation at the places where this is required;

(b) Investigate violations of the provisions which fall under the control and supervision of the Commission;

(c) When necessary, cooperate with the Joint Military Commissions in deterring and detecting violations of the above-mentioned provisions.

Article 2

The International Commission shall investigate violations of the provisions described in Article 18 of the Agreement on the request of the Four-Party Joint Military Commission, or of the Two-Party Joint Military Commission, or of any party, or, with respect to Article 9 (b) of the Agreement on general elections, of the National Council of National Reconciliation and Concord, or in any case where the International Commission has other adequate grounds for considering that there has been a violation of those provisions. It is understood

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that, in carrying out this task, the International Commission shall function with the concerned parties' assistance and cooperation as required.

Article 3

(a) When the International Commission finds that there is a serious violation in the implementation of the Agreement or a threat to peace against which the Commission can find no appropriate measure, the Commission shall report this to the four parties to the Agreement so that they can hold consultations to find a solution.

(b) In accordance with Article 18 (f) of the Agreement, the International Commission's reports shall be made with the unanimous agreement of the representatives of all the four members. In case no unanimity is reached, the Commission shall forward the different views to the four parties in accordance with Article 18 (b) of the Agreement, or to the two South Vietnamese parties in accordance with Article 18 (c) of the Agreement, but these shall not be considered as reports of the Commission.

Article 4

(a) The headquarters of the International Commission shall be at Saigon.

(b) There shall be seven regional teams located in the regions shown on the annexed map and based at the following places:

Regions	Places
I	Hue
II	Danang
III	Pleiku
IV	Phan Thiet
V	Bien Hoa
VI	My Tho
VII	Can Tho

The International Commission shall designate three teams for the region of Saigon-Gia Dinh.

(c) There shall be twenty-six teams operating in the areas shown on the annexed map and based at the following places in South Vietnam:

Region I

Quang Tri
Phu Bai

Region II

Hoi An
Tam Ky
Chu Lai

Region III

Kontum
Hau Bon
Phu Cat
Tuy An
Ninh Hoa
Ban Me Thuot

Region IV

Da Lat

Bao Loc
Phan Rang

Region V

An Loc
Xuan Loc
Ben Cat
Cu Chi
Tan An

Region VI

Moc Hoa
Giong Trom

Region VII

Tri Ton
Vinh Long
Vi Thanh
Khanh Hung
Quan Long

(d) There shall be twelve teams located as shown on the annexed map and based at the following places:

Gio Linh (to cover the area south of the Provisional Military Demarcation Line)

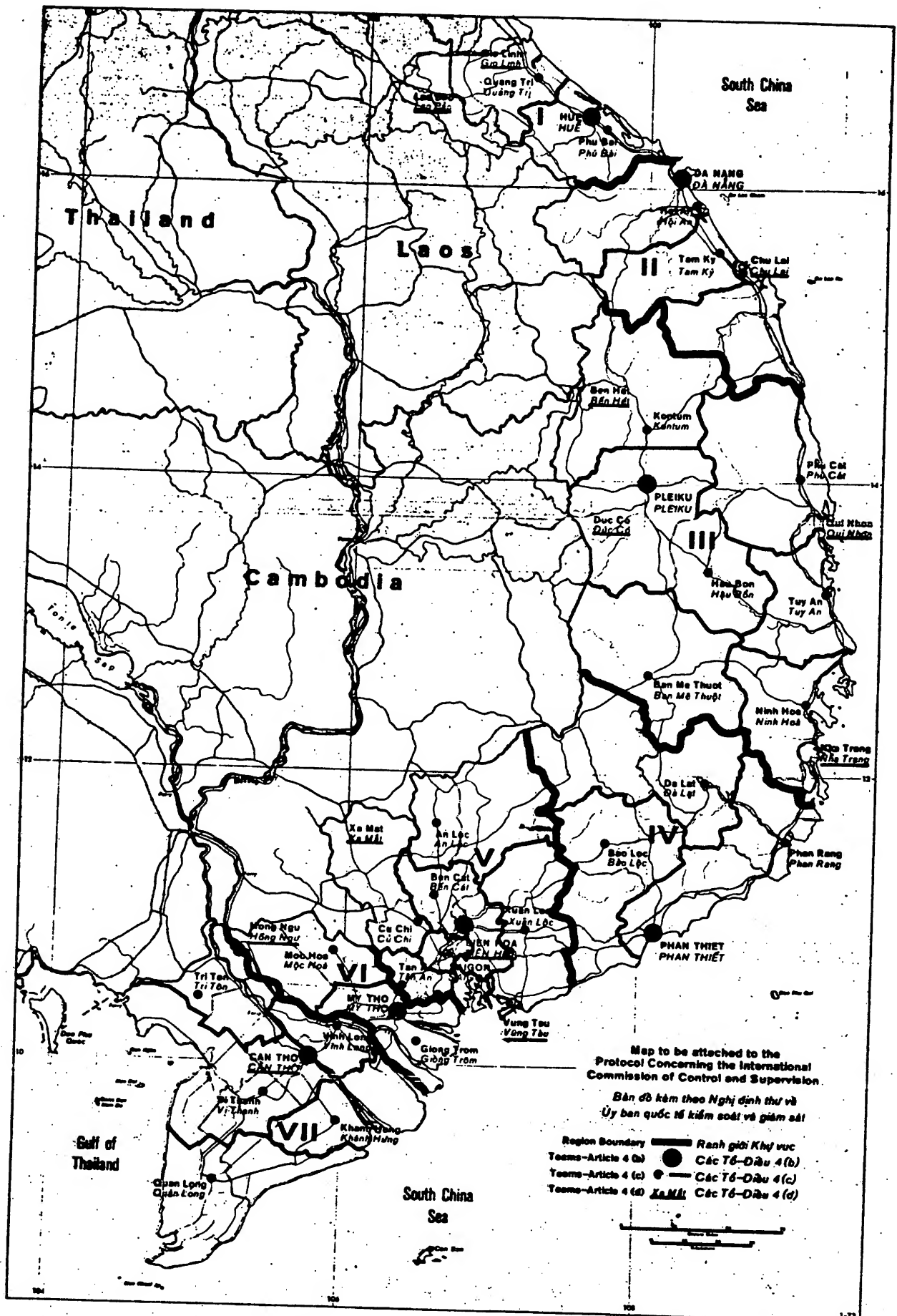
Lao Bao
Ben Het
Duc Co
Chu Lai
Qui Nhon
Nha Trang
Vung Tau
Xa Mat
Bien Hoa Airfield
Hong Ngu
Can Tho

(e) There shall be seven teams, six of which shall be available for assignment to the points of entry which are not listed in paragraph (d) above and which the two South Vietnamese parties choose as points for legitimate entry to South Vietnam for replacement of armaments, munitions, and war material permitted by Article 7 of the Agreement. Any team or teams not needed for the above-mentioned assignment shall be available for other tasks, in keeping with the Commission's responsibility for control and supervision.

(f) There shall be seven teams to control and supervise the return of captured and detained personnel of the parties.

Article 5

(a) To carry out its tasks concerning the return of the captured military personnel and foreign civilians of the parties as stipulated by Article 8 (a) of the Agreement, the International Commission shall, during the time of such return, send one control and supervision team to each place in Vietnam where the captured persons are being returned, and to the last detention places from which these persons will be taken to the places of return.



(b) To carry out its tasks concerning the return of the Vietnamese civilian personnel captured and detained in South Vietnam mentioned in Article 8 (c) of the Agreement, the International Commission shall, during the time of such return, send one control and supervision team to each place in South Vietnam where the above-mentioned captured and detained persons are being returned, and to the last detention places from which these persons shall be taken to the places of return.

Article 6

To carry out its tasks regarding Article 9 (b) of the Agreement on the free and democratic general elections in South Vietnam, the International Commission shall organize additional teams, when necessary. The International Commission shall discuss this question in advance with the National Council of National Reconciliation and Concord. If additional teams are necessary for this purpose, they shall be formed thirty days before the general elections.

Article 7

The International Commission shall continually keep under review its size, and shall reduce the number of its teams, its representatives or other personnel, or both, when those teams, representatives or personnel have accomplished the tasks assigned to them and are not required for other tasks. At the same time, the expenditures of the International Commission shall be reduced correspondingly.

Article 8

Each member of the International Commission shall make available at all times the following numbers of qualified personnel:

- (a) One senior representative and twenty-six others for the headquarters staff.
- (b) Five for each of the seven regional teams.
- (c) Two for each of the other international control teams, except for the teams at Gio Linh and Vung Tau, each of which shall have three.
- (d) One hundred sixteen for the purpose of providing support to the Commission Headquarters and its teams.

Article 9

- (a) The International Commission, and each of its teams, shall act as a single body comprising representatives of all four members.
- (b) Each member has the responsibility to ensure the presence of its representatives at all levels of the International Commission. In case a representative is absent, the member concerned shall immediately designate a replacement.

Article 10

- (a) The parties shall afford full cooperation, assistance, and protection to the International Commission.
- (b) The parties shall at all times maintain reg-

ular and continuous liaison with the International Commission. During the existence of the Four-Party Joint Military Commission, the delegations of the parties to that Commission shall also perform liaison functions with the International Commission. After the Four-Party Joint Military Commission has ended its activities, such liaison shall be maintained through the Two-Party Joint Military Commission, liaison missions, or other adequate means.

(c) The International Commission and the Joint Military Commissions shall closely cooperate with and assist each other in carrying out their respective functions.

(d) Wherever a team is stationed or operating, the concerned party shall designate a liaison officer to the team to cooperate with and assist it in carrying out without hindrance its task of control and supervision. When a team is carrying out an investigation, a liaison officer from each concerned party shall have the opportunity to accompany it, provided the investigation is not thereby delayed.

(e) Each party shall give the International Commission reasonable advance notice of all proposed actions concerning those provisions of the Agreement that are to be controlled and supervised by the International Commission.

(f) The International Commission, including its teams, is allowed such movement for observation as is reasonably required for the proper exercise of its functions as stipulated in the Agreement. In carrying out these functions, the International Commission, including its teams, shall enjoy all necessary assistance and cooperation from the parties concerned.

Article 11

In supervising the holding of the free and democratic general elections described in Articles 9 (b) and 12 (b) of the Agreement in accordance with modalities to be agreed upon between the National Council of National Reconciliation and Concord and the International Commission, the latter shall receive full cooperation and assistance from the National Council.

Article 12

The International Commission and its personnel who have the nationality of a member state shall, while carrying out their tasks, enjoy privileges and immunities equivalent to those accorded diplomatic missions and diplomatic agents.

Article 13

The International Commission may use the means of communication and transport necessary to perform its functions. Each South Vietnamese party shall make available for rent to the International Commission appropriate office and accommodation facilities and shall assist it in obtaining such facilities. The International Commission may receive from the parties, on mutually agreeable terms, the

necessary means of communication and transport and may purchase from any source necessary equipment and services not obtained from the parties. The International Commission shall possess these means.

Article 14

The expenses for the activities of the International Commission shall be borne by the parties and the members of the International Commission in accordance with the provisions of this Article:-

(a) Each member country of the International Commission shall pay the salaries and allowances of its personnel.

(b) All other expenses incurred by the International Commission shall be met from a fund to which each of the four parties shall contribute twenty-three percent (23%) and to which each member of the International Commission shall contribute two percent (2%).

(c) Within thirty days of the date of entry into force of this Protocol, each of the four parties shall provide the International Commission with an initial sum equivalent to four million, five hundred thousand (4,500,000) French francs in convertible currency, which sum shall be credited against the amounts due from that party under the first budget.

(d) The International Commission shall prepare its own budgets. After the International Commission approves a budget, it shall transmit it to all parties signatory to the Agreement for their approval. Only after the budgets have been approved by the four parties to the Agreement shall they be obliged to make their contributions. However, in case the parties to the Agreement do not agree on a new budget, the International Commission shall temporarily base its expenditures on the previous budget, except for the extraordinary, one-time expenditures for installation or for the acquisition of equipment, and the parties shall continue to make their contributions on that basis until a new budget is approved.

Article 15

(a) The headquarters shall be operational and in place within twenty-four hours after the cease-fire.

(b) The regional teams shall be operational and in place, and three teams for supervision and control of the return of the captured and detained personnel shall be operational and ready for dispatch within forty-eight hours after the cease-fire.

(c) Other teams shall be operational and in place within fifteen to thirty days after the cease-fire.

Article 16

Meetings shall be convened at the call of the Chairman. The International Commission shall adopt other working procedures appropriate for the effective discharge of its functions and consistent with respect for the sovereignty of South Vietnam.

Article 17

The Members of the International Commission may accept the obligations of this Protocol by sending notes of acceptance to the four parties signatory to the Agreement. Should a member of the International Commission decide to withdraw from the International Commission, it may do so by giving three months notice by means of notes to the four parties to the Agreement, in which case those four parties shall consult among themselves for the purpose of agreeing upon a replacement member.

Article 18

This Protocol shall enter into force upon signature by plenipotentiary representatives of all the parties participating in the Paris Conference on Vietnam. It shall be strictly implemented by all the parties concerned.

DONE in Paris this twenty-seventh day of January, One Thousand Nine Hundred and Seventy-Three, in Vietnamese and English. The Vietnamese and English texts are official and equally authentic.

[Separate Numbered Page]

For the Government of the United States of America	For the Government of the Republic of Vietnam
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WILLIAM P. ROGERS
Secretary of State

TRAN VAN LAM
*Minister for Foreign
Affairs*

[Separate Numbered Page]

For the Government of the Democratic Republic of Vietnam	For the Provisional Rev- olutionary Government of the Republic of South Vietnam
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NGUYEN DUY TRINH
*Minister for Foreign
Affairs*

NGUYEN THI BINH
*Minister for Foreign
Affairs*

PROTOCOL TO THE AGREEMENT ON ENDING THE WAR AND RESTORING PEACE IN VIETNAM CONCERNING THE INTERNATIONAL COMMISSION OF CONTROL AND SUPERVISION

The Government of the United States of America, with the concurrence of the Government of the Republic of Vietnam,

The Government of the Democratic Republic of Vietnam, with the concurrence of the Provisional Revolutionary Government of the Republic of South Vietnam,

In implementation of Article 18 of the Agreement on Ending the War and Restoring Peace in Vietnam signed on this date providing for the formation of the International Commission of Control and Supervision,

Have agreed as follows:

[Text of Protocol Articles 1-17 same as above.]

Article 18

The Protocol to the Paris Agreement on Ending the War and Restoring Peace in Vietnam concerning the International Commission of Control and Supervision shall enter into force upon signature of this document by the Secretary of State of the Government of the United States of America and the Minister for Foreign Affairs of the Government of the Democratic Republic of Vietnam, and upon signature of a document in the same terms by the Secretary of State of the Government of the United States of America, the Minister for Foreign Affairs of the Government of the Republic of Vietnam, the Minister for Foreign Affairs of the Government of the Democratic Republic of Vietnam, and the Minister for Foreign Affairs of the Provisional Revolutionary Government of the Republic of South Vietnam. The Protocol shall be strictly implemented by all the parties concerned.

DONE in Paris this twenty-seventh day of January, One Thousand Nine Hundred and Seventy-Three, in Vietnamese and English. The Vietnamese and English texts are official and equally authentic.

For the Government of the United States of America

WILLIAM P. ROGERS
Secretary of State

For the Government of the Democratic Republic of Vietnam

NGUYEN DUY TRINH
Minister for Foreign Affairs

Protocol on the Cease-Fire in South Viet-Nam and the Joint Military Commissions

PROTOCOL TO THE AGREEMENT ON ENDING THE WAR AND RESTORING PEACE IN VIETNAM CONCERNING THE CEASE-FIRE IN SOUTH VIETNAM AND THE JOINT MILITARY COMMISSIONS

The parties participating in the Paris Conference on Vietnam,

In implementation of the first paragraph of Article 2, Article 3, Article 5, Article 6, Article 16 and Article 17 of the Agreement on Ending the War and Restoring Peace in Vietnam signed on this date which provide for the cease-fire in South Vietnam and the establishment of a Four-Party Joint Military Commission and a Two-Party Joint Military Commission,

Have agreed as follows:

CEASE-FIRE IN SOUTH VIETNAM

Article 1

The High Commands of the parties in South Vietnam shall issue prompt and timely orders to all regular and irregular armed forces and the armed police under their command to completely end hostilities throughout South Vietnam, at the exact time stipulated in Article 2 of the Agreement and ensure

that these armed forces and armed police comply with these orders and respect the cease-fire.

Article 2

(a) As soon as the cease-fire comes into force and until regulations are issued by the Joint Military Commissions, all ground, river, sea and air combat forces of the parties in South Vietnam shall remain in place; that is, in order to ensure a stable cease-fire, there shall be no major redeployments or movements that would extend each party's area of control or would result in contact between opposing armed forces and clashes which might take place.

(b) All regular and irregular armed forces and the armed police of the parties in South Vietnam shall observe the prohibition of the following acts:

(1) Armed patrols into areas controlled by opposing armed forces and flights by bomber and fighter aircraft of all types, except for unarmed flights for proficiency training and maintenance;

(2) Armed attacks against any person, either military or civilian, by any means whatsoever, including the use of small arms, mortars, artillery, bombing and strafing by airplanes and any other type of weapon or explosive device;

(3) All combat operations on the ground, on rivers, on the sea and in the air;

(4) All hostile acts, terrorism or reprisals; and

(5) All acts endangering lives or public or private property.

Article 3

(a) The above-mentioned prohibitions shall not hamper or restrict:

(1) Civilian supply, freedom of movement, freedom to work, and freedom of the people to engage in trade, and civilian communication and transportation between and among all areas in South Vietnam;

(2) The use by each party in areas under its control of military support elements, such as engineer and transportation units, in repair and construction of public facilities and the transportation and supplying of the population;

(3) Normal military proficiency training conducted by the parties in the areas under their respective control with due regard for public safety.

(b) The Joint Military Commissions shall immediately agree on corridors, routes, and other regulations governing the movement of military transport aircraft, military transport vehicles, and military transport vessels of all types of one party going through areas under the control of other parties.

Article 4

In order to avert conflict and ensure normal conditions for those armed forces which are in direct contact, and pending regulation by the Joint Military Commissions, the commanders of the opposing

armed forces at those places of direct contact shall meet as soon as the cease-fire comes into force with a view to reaching an agreement on temporary measures to avert conflict and to ensure supply and medical care for these armed forces.

Article 5

(a) Within fifteen days after the cease-fire comes into effect, each party shall do its utmost to complete the removal or deactivation of all demolition objects, mine-fields, traps, obstacles or other dangerous objects placed previously, so as not to hamper the population's movement and work, in the first place on waterways, roads and railroads in South Vietnam. Those mines which cannot be removed or deactivated within that time shall be clearly marked and must be removed or deactivated as soon as possible.

(b) Emplacement of mines is prohibited, except as a defensive measure around the edges of military installations in places where they do not hamper the population's movement and work, and movement on waterways, roads and railroads. Mines and other obstacles already in place at the edges of military installations may remain in place if they are in places where they do not hamper the population's movement and work, and movement on waterways, roads and railroads.

Article 6

Civilian police and civilian security personnel of the parties in South Vietnam, who are responsible for the maintenance of law and order, shall strictly respect the prohibitions set forth in Article 2 of this Protocol. As required by their responsibilities, normally they shall be authorized to carry pistols, but when required by unusual circumstances, they shall be allowed to carry other small individual arms.

Article 7

(a) The entry into South Vietnam of replacement armaments, munitions, and war material permitted under Article 7 of the Agreement shall take place under the supervision and control of the Two-Party Joint Military Commission and of the International Commission of Control and Supervision and through such points of entry only as are designated by the two South Vietnamese parties. The two South Vietnamese parties shall agree on these points of entry within fifteen days after the entry into force of the cease-fire. The two South Vietnamese parties may select as many as six points of entry which are not included in the list of places where teams of the International Commission of Control and Supervision are to be based contained in Article 4 (d) of the Protocol concerning the International Commission. At the same time, the two South Vietnamese parties may also select points of entry from the list of places set forth in Article 4 (d) of that Protocol.

(b) Each of the designated points of entry shall be available only for that South Vietnamese party which is in control of that point. The two South Vietnamese parties shall have an equal number of points of entry.

Article 8

(a) In implementation of Article 5 of the Agreement, the United States and the other foreign countries referred to in Article 5 of the Agreement shall take with them all their armaments, munitions, and war material. Transfers of such items which would leave them in South Vietnam shall not be made subsequent to the entry into force of the Agreement except for transfers of communications, transport, and other non-combat material to the Four-Party Joint Military Commission or the International Commission of Control and Supervision.

(b) Within five days after the entry into force of the cease-fire, the United States shall inform the Four-Party Joint Military Commission and the International Commission of Control and Supervision of the general plans for timing of complete troop withdrawals which shall take place in four phases of fifteen days each. It is anticipated that the numbers of troops withdrawn in each phase are not likely to be widely different, although it is not feasible to ensure equal numbers. The approximate numbers to be withdrawn in each phase shall be given to the Four-Party Joint Military Commission and the International Commission of Control and Supervision sufficiently in advance of actual withdrawals so that they can properly carry out their tasks in relation thereto.

Article 9

(a) In implementation of Article 6 of the Agreement, the United States and the other foreign countries referred to in that Article shall dismantle and remove from South Vietnam or destroy all military bases in South Vietnam of the United States and of the other foreign countries referred to in that Article, including weapons, mines, and other military equipment at these bases, for the purpose of making them unusable for military purposes.

(b) The United States shall supply the Four-Party Joint Military Commission and the International Commission of Control and Supervision with necessary information on plans for base dismantlement so that those Commissions can properly carry out their tasks in relation thereto.

THE JOINT MILITARY COMMISSIONS

Article 10

(a) The implementation of the Agreement is the responsibility of the parties signatory to the Agreement.

The Four-Party Joint Military Commission has the task of ensuring joint action by the parties in implementing the Agreement by serving as a chan-

nel of communication among the parties, by drawing up plans and fixing the modalities to carry out, coordinate, follow and inspect the implementation of the provisions mentioned in Article 16 of the Agreement, and by negotiating and settling all matters concerning the implementation of those provisions.

(b) The concrete tasks of the Four-Party Joint Military Commission are:

(1) To coordinate, follow and inspect the implementation of the above-mentioned provisions of the Agreement by the four parties;

(2) To deter and detect violations, to deal with cases of violation, and to settle conflicts and matters of contention between the parties relating to the above-mentioned provisions;

(3) To dispatch without delay one or more joint teams, as required by specific cases, to any part of South Vietnam, to investigate alleged violations of the Agreement and to assist the parties in finding measures to prevent recurrence of similar cases;

(4) To engage in observation at the places where this is necessary in the exercise of its functions;

(5) To perform such additional tasks as it may, by unanimous decision, determine.

Article 11

(a) There shall be a Central Joint Military Commission located in Saigon. Each party shall designate immediately a military delegation of fifty-nine persons to represent it on the Central Commission. The senior officer designated by each party shall be a general officer, or equivalent.

(b) There shall be seven Regional Joint Military Commissions located in the regions shown on the annexed map and based at the following places:

Regions	Places
I	Hue
II	Danang
III	Pleiku
IV	Phan Thiet
V	Bien Hoa
VI	My Tho
VII	Can Tho

Each party shall designate a military delegation of sixteen persons to represent it on each Regional Commission. The senior officer designated by each party shall be an officer from the rank of Lieutenant Colonel to Colonel, or equivalent.

(c) There shall be a joint military team operating in each of the areas shown on the annexed map and based at each of the following places in South Vietnam:

Region I
Quang Tri
Phu Bai

Region II
Hoi An
Tam Ky
Chu Lai

Region III

Kontum
Hau Bon
Phu Cat
Tuy An
Ninh Hoa
Ban Me Thuot

Region IV

Da Lat
Bao Loc
Phan Rang

Region V

An Loc
Xuan Loc
Ben Cat
Cu Chi
Tan An

Region VI

Moc Hoa
Giong Trom

Region VII

Tri Ton
Vinh Long
Vi Thanh
Khanh Hung
Quan Long

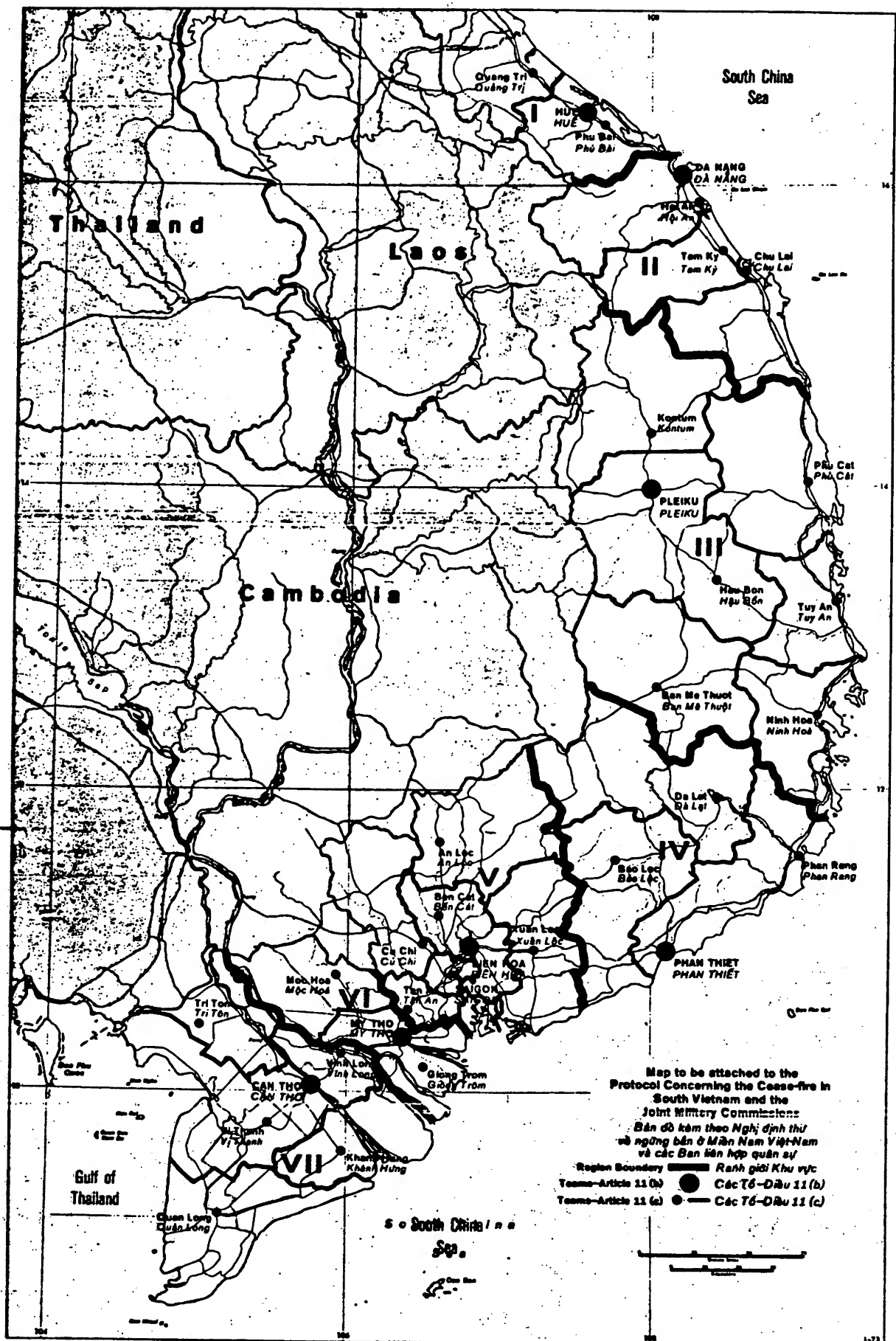
Each party shall provide four qualified persons for each joint military team. The senior person designated by each party shall be an officer from the rank of Major to Lieutenant Colonel, or equivalent.

(d) The Regional Joint Military Commissions shall assist the Central Joint Military Commission in performing its tasks and shall supervise the operations of the joint military teams. The region of Saigon-Gia Dinh is placed under the responsibility of the Central Commission which shall designate joint military teams to operate in this region.

(e) Each party shall be authorized to provide support and guard personnel for its delegations to the Central Joint Military Commission and Regional Joint Military Commissions, and for its members of the joint military teams. The total number of support and guard personnel for each party shall not exceed five hundred and fifty.

(f) The Central Joint Military Commission may establish such joint sub-commissions, joint staffs and joint military teams as circumstances may require. The Central Commission shall determine the numbers of personnel required for any additional sub-commissions, staffs or teams it establishes, provided that each party shall designate one-fourth of the number of personnel required and that the total number of personnel for the Four-Party Joint Military Commission, to include its staffs, teams, and support personnel, shall not exceed three thousand three hundred.

(g) The delegations of the two South Vietnamese



parties may, by agreement, establish provisional sub-commissions and joint military teams to carry out the tasks specifically assigned to them by Article 17 of the Agreement. With respect to Article 7 of the Agreement, the two South Vietnamese parties' delegations to the Four-Party Joint Military Commission shall establish joint military teams at the points of entry into South Vietnam used for replacement of armaments, munitions and war material which are designated in accordance with Article 7 of this Protocol. From the time the cease-fire comes into force to the time when the Two-Party Joint Military Commission becomes operational, the two South Vietnamese parties' delegations to the Four-Party Joint Military Commission shall form a provisional sub-commission and provisional joint military teams to carry out its tasks concerning captured and detained Vietnamese civilian personnel. Where necessary for the above purposes, the two South Vietnamese parties may agree to assign personnel additional to those assigned to the two South Vietnamese delegations to the Four-Party Joint Military Commission.

Article 12

(a) In accordance with Article 17 of the Agreement which stipulates that the two South Vietnamese parties shall immediately designate their respective representatives to form the Two-Party Joint Military Commission, twenty-four hours after the cease-fire comes into force, the two designated South Vietnamese parties' delegations to the Two-Party Joint Military Commission shall meet in Saigon so as to reach an agreement as soon as possible on organization and operation of the Two-Party Joint Military Commission, as well as the measures and organization aimed at enforcing the cease-fire and preserving peace in South Vietnam.

(b) From the time the cease-fire comes into force to the time when the Two-Party Joint Military Commission becomes operational, the two South Vietnamese parties' delegations to the Four-Party Joint Military Commission at all levels shall simultaneously assume the tasks of the Two-Party Joint Military Commission at all levels, in addition to their functions as delegations to the Four-Party Joint Military Commission.

(c) If, at the time the Four-Party Joint Military Commission ceases its operation in accordance with Article 16 of the Agreement, agreement has not been reached on organization of the Two-Party Joint Military Commission, the delegations of the two South Vietnamese parties serving with the Four-Party Joint Military Commission at all levels shall continue temporarily to work together as a provisional two-party joint military commission and to assume the tasks of the Two-Party Joint Military Commission at all levels until the Two-Party Joint Military Commission becomes operational.

Article 13

In application of the principle of unanimity, the

Joint Military Commissions shall have no chairmen, and meetings shall be convened at the request of any representative. The Joint Military Commissions shall adopt working procedures appropriate for the effective discharge of their functions and responsibilities.

Article 14

The Joint Military Commissions and the International Commission of Control and Supervision shall closely cooperate with and assist each other in carrying out their respective functions. Each Joint Military Commission shall inform the International Commission about the implementation of those provisions of the Agreement for which that Joint Military Commission has responsibility and which are within the competence of the International Commission. Each Joint Military Commission may request the International Commission to carry out specific observation activities.

Article 15

The Central Four-Party Joint Military Commission shall begin operating twenty-four hours after the cease-fire comes into force. The Regional Four-Party Joint Military Commissions shall begin operating forty-eight hours after the cease-fire comes into force. The joint military teams based at the places listed in Article 11 (c) of this Protocol shall begin operating no later than fifteen days after the cease-fire comes into force. The delegations of the two South Vietnamese parties shall simultaneously begin to assume the tasks of the Two-Party Joint Military Commission as provided in Article 12 of this Protocol.

Article 16

(a) The parties shall provide full protection and all necessary assistance and cooperation to the Joint Military Commissions at all levels, in the discharge of their tasks.

(b) The Joint Military Commissions and their personnel, while carrying out their tasks, shall enjoy privileges and immunities equivalent to those accorded diplomatic missions and diplomatic agents.

(c) The personnel of the Joint Military Commissions may carry pistols and wear special insignia decided upon by each Central Joint Military Commission. The personnel of each party while guarding Commission installations or equipment may be authorized to carry other individual small arms, as determined by each Central Joint Military Commission.

Article 17

(a) The delegation of each party to the Four-Party Joint Military Commission and the Two-Party Joint Military Commission shall have its own offices, communication, logistics and transportation means, including aircraft when necessary.

(b) Each party, in its areas of control shall provide appropriate office and accommodation facilities to the Four-Party Joint Military Commission

and the Two-Party Joint Military Commission at all levels.

(c) The parties shall endeavor to provide to the Four-Party Joint Military Commission and the Two-Party Joint Military Commission, by means of loan, lease, or gift, the common means of operation, including equipment for communication, supply, and transport, including aircraft when necessary. The Joint Military Commissions may purchase from any source necessary facilities, equipment, and services which are not supplied by the parties. The Joint Military Commissions shall possess and use these facilities and this equipment.

(d) The facilities and the equipment for common use mentioned above shall be returned to the parties when the Joint Military Commissions have ended their activities.

Article 18

The common expenses of the Four-Party Joint Military Commission shall be borne equally by the four parties, and the common expenses of the Two-Party Joint Military Commission in South Vietnam shall be borne equally by these two parties.

Article 19

This Protocol shall enter into force upon signature by plenipotentiary representatives of all the parties participating in the Paris Conference on Vietnam. It shall be strictly implemented by all the parties concerned.

DONE in Paris this twenty-seventh day of January, One Thousand Nine Hundred and Seventy-Three, in Vietnamese and English. The Vietnamese and English texts are official and equally authentic.

[Separate Numbered Page]

For the Government of the United States of America	For the Government of the Republic of Vietnam
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WILLIAM P. ROGERS
Secretary of State

TRAN VAN LAM
*Minister for Foreign
Affairs*

[Separate Numbered Page]

For the Government of the Democratic Republic of Vietnam	For the Provisional Rev- olutionary Government of the Republic of South Vietnam
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NGUYEN DUY TRINH
*Minister for Foreign
Affairs*

NGUYEN THI BINH
*Minister for Foreign
Affairs*

PROTOCOL TO THE AGREEMENT ON ENDING THE WAR AND RESTORING PEACE IN VIETNAM CONCERNING THE CEASE-FIRE IN SOUTH VIETNAM AND THE JOINT MILITARY COMMISSIONS

The Government of the United States of America,
with the concurrence of the Government of the Re-
public of Vietnam,

The Government of the Democratic Republic of

Vietnam, with the concurrence of the Provisional
Revolutionary Government of the Republic of South
Vietnam,

In implementation of the first paragraph of Article 2, Article 3, Article 5, Article 6, Article 16 and Article 17 of the Agreement on Ending the War and Restoring Peace in Vietnam signed on this date which provide for the cease-fire in South Vietnam and the establishment of a Four-Party Joint Military Commission and a Two-Party Joint Military Commission,

Have agreed as follows:

[Text of Protocol Articles 1-18 same as above]

Article 19

The Protocol to the Paris Agreement on Ending the War and Restoring Peace in Vietnam concerning the Cease-fire in South Vietnam and the Joint Military Commissions shall enter into force upon signature of this document by the Secretary of State of the Government of the United States of America and the Minister for Foreign Affairs of the Government of the Democratic Republic of Vietnam, and upon signature of a document in the same terms by the Secretary of State of the Government of the United States of America, the Minister for Foreign Affairs of the Government of the Republic of Vietnam, the Minister for Foreign Affairs of the Government of the Democratic Republic of Vietnam, and the Minister for Foreign Affairs of the Provisional Revolutionary Government of the Republic of South Vietnam. The Protocol shall be strictly implemented by all the parties concerned.

DONE in Paris this twenty-seventh day of January, One Thousand Nine Hundred and Seventy-Three, in Vietnamese and English. The Vietnamese and English texts are official and equally authentic.

For the Government of the United States of America	For the Government of the Democratic Republic of Vietnam
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WILLIAM P. ROGERS
Secretary of State

NGUYEN DUY TRINH
*Minister for Foreign
Affairs*

Protocol on Mine Clearing in North Viet-Nam

PROTOCOL TO THE AGREEMENT ON ENDING THE WAR
AND RESTORING PEACE IN VIETNAM CONCERNING
THE REMOVAL, PERMANENT DEACTIVATION, OR DE-
STRUCTION OF MINES IN THE TERRITORIAL WATERS,
PORTS, HARBORS, AND WATERWAYS OF THE DEMO-
CRATIC REPUBLIC OF VIETNAM

The Government of the United States of America,
The Government of the Democratic Republic of
Vietnam,

In implementation of the second paragraph of
Article 2 of the Agreement on Ending the War and
Restoring Peace in Vietnam signed on this date,
Have agreed as follows:

Article 1

The United States shall clear all the mines it has placed in the territorial waters, ports, harbors, and waterways of the Democratic Republic of Vietnam. This mine clearing operation shall be accomplished by rendering the mines harmless through removal, permanent deactivation, or destruction.

Article 2

With a view to ensuring lasting safety for the movement of people and watercraft and the protection of important installations, mines shall, on the request of the Democratic Republic of Vietnam, be removed or destroyed in the indicated areas; and whenever their removal or destruction is impossible, mines shall be permanently deactivated and their emplacement clearly marked.

Article 3

The mine clearing operation shall begin at twenty-four hundred (2400) hours GMT on January 27, 1973. The representatives of the two parties shall consult immediately on relevant factors and agree upon the earliest possible target date for the completion of the work.

Article 4

The mine clearing operation shall be conducted in accordance with priorities and timing agreed upon by the two parties. For this purpose, representatives of the two parties shall meet at an early date to reach agreement on a program and a plan of implementation. To this end:

(a) The United States shall provide its plan for mine clearing operations, including maps of the minefields and information concerning the types, numbers and properties of the mines;

(b) The Democratic Republic of Vietnam shall provide all available maps and hydrographic charts and indicate the mined places and all other potential hazards to the mine clearing operations that the Democratic Republic of Vietnam is aware of;

(c) The two parties shall agree on the timing of implementation of each segment of the plan and provide timely notice to the public at least forty-eight hours in advance of the beginning of mine clearing operations for that segment.

Article 5

The United States shall be responsible for the mine clearance on inland waterways of the Democratic Republic of Vietnam. The Democratic Republic of Vietnam shall, to the full extent of its

capabilities, actively participate in the mine clearance with the means of surveying, removal and destruction and technical advice supplied by the United States.

Article 6

With a view to ensuring the safe movement of people and watercraft on waterways and at sea, the United States shall in the mine clearing process supply timely information about the progress of mine clearing in each area, and about the remaining mines to be destroyed. The United States shall issue a communique when the operations have been concluded.

Article 7

In conducting mine clearing operations, the U.S. personnel engaged in these operations shall respect the sovereignty of the Democratic Republic of Vietnam and shall engage in no activities inconsistent with the Agreement on Ending the War and Restoring Peace in Vietnam and this Protocol. The U.S. personnel engaged in the mine clearing operations shall be immune from the jurisdiction of the Democratic Republic of Vietnam for the duration of the mine clearing operations.

The Democratic Republic of Vietnam shall ensure the safety of the U.S. personnel for the duration of their mine clearing activities on the territory of the Democratic Republic of Vietnam, and shall provide this personnel with all possible assistance and the means needed in the Democratic Republic of Vietnam that have been agreed upon by the two parties.

Article 8

This Protocol to the Paris Agreement on Ending the War and Restoring Peace in Vietnam shall enter into force upon signature by the Secretary of State of the Government of the United States of America and the Minister for Foreign Affairs of the Government of the Democratic Republic of Vietnam. It shall be strictly implemented by the two parties.

DONE in Paris this twenty-seventh day of January, One Thousand Nine Hundred and Seventy-Three, in Vietnamese and English. The Vietnamese and English texts are official and equally authentic.

For the Government of
the United States of
America

WILLIAM P. ROGERS
Secretary of State

For the Government of
the Democratic Republic
of Vietnam

NGUYEN DUY TRINH
Minister for Foreign
Affairs

APPENDIX 4

CAST OF CHARACTERS

CAST OF CHARACTERS

- Abrams, General Creighton W., USA. Commander, US Military Assistance Command, Vietnam (COMUSMACV), 3 July 1968-29 June 1972; Chief of Staff, US Army, 12 October 1972-4 September 1974.
- Binh, Mme. Nguyen Thi. PRG Representative to the Paris Peace Talks.
- Bruce, David K.E. US Representative to the Paris Peace Talks, August 1970-July 1971.
- Bunker, Ellsworth. US Ambassador to South Vietnam, April 1967-May 1973.
- Chapman, General Leonard F., Jr., USMC. Commandant, US Marine Corps, 1 January 1968-31 December 1971.
- Colby, William E. Deputy COMUSMACV for Civil Operations and Rural Development Support (CORDS), November 1968-June 1971.
- Cushman, General Robert E., Jr., USMC. Commandant, US Marine Corps, 1 January 1972-30 June 1975.
- Gayler, Admiral Noel, USN. Commander in Chief, Pacific (CINCPAC), 1 September 1972-30 August 1976.
- Godley, George M. US Ambassador to Laos, July 1969-April 1973.
- Haig, General Alexander M., Jr., USA. Deputy Assistant to the President for National Security Affairs, June 1970-January 1973; Vice Chief of Staff, US Army, January-May 1973.
- Kissinger, Dr. Henry A. Assistant to the President for National Security Affairs, January 1969-September 1973; Secretary of State, September 1973-January 1977.
- Laird, Melvin R. Secretary of Defense, January 1969-January 1973.
- Lam, Pham Dang. South Vietnamese Representative to the Paris Peace Talks.

Lavelle, General Frank D., USAF. Commander, US 7th Air Force, August 1971-April 1972.

McCain, Admiral John S., Jr., USN. Commander in Chief, Pacific (CINCPAC), 1 August 1968-1 September 1972.

Moorer, Admiral Thomas H., USN. Chairman, Joint Chiefs of Staff, 3 July 1970-1 July 1974.

Nixon, Richard. President of the United States, 20 January 1969-9 August 1974.

Nol, Lon. Premier of Cambodia, 1970-1971; President of Cambodia, 1972-1975.

Nutter, G. Warren. Assistant Secretary of Defense (International Security Affairs) (ISA), March 1969-January 1973.

Packard, David. Deputy Secretary of Defense, January 1969-December 1971.

Phouma, Souvanna. Premier of Laos.

Porter, William J. US Representative to the Paris Peace Talks, September 1971-January 1973.

Richardson, Elliot L. Secretary of Defense, January-May 1973.

Rogers, William P. Secretary of State, January 1969-September 1973.

Rush, Kenneth. Deputy Secretary of Defense, February 1972-January 1973.

Ryan, General John D., USAF. Chief of Staff, US Air Force, 1 August 1969-31 July 1973.

Sullivan, William H. Deputy Assistant Secretary of State, East Asian and Pacific Affairs, April 1969-July 1973.

Swank, Emory C. US Ambassador to Cambodia, September 1970-September 1973.

Thieu, Nguyen Van. President of the Republic of Vietnam, 31 October 1967-21 April 1975.

Tho, Le Duc. North Vietnamese Politburo Member and Peace Negotiator.

Thuy, Xuan. North Vietnamese Representative to the Paris Peace Talks.

Vien, General Cao Van. Chairman, Joint General Staff, Republic of Vietnam Armed Forces (RVNAF).

Vogt, Lieutenant General John, USAF. Director, Joint Staff, July 1970-April 1972; Commander, 7th US Air Force, April 1972-March 1973; Deputy COMUSMACV, June 1972-March 1973.

Westmoreland, General William C., USA. Commander, US Military Assistance Command (COMUSMACV), 1964-1968; Chief of Staff, US Army, 3 July 1968-30 June 1972.

Weyand, General Fred C., USA. Deputy COMUSMACV, September 1970-29 June 1972; COMUSMACV 29 June 1972-29 March 1973.

Woodward, Major General G.H., USA. Chief of Staff, MACV, May 1972-January 1973; Chief, US Delegation to Four-Party Joint Military Commission in Vietnam, January-March 1973.

Ziegler, Ronald. White House Press Secretary, January 1969-August 1974.

Zumwalt, Admiral Elmo R., USN. Chief of Naval Operations, 1 July 1970-1 July 1974.

Thuy, Xuan. North Vietnamese Representative to the Paris Peace Talks.

Vien, General Cao Van. Chairman, Joint General Staff, Republic of Vietnam Armed Forces (RVNAF).

Vogt, Lieutenant General John, USAF. Director, Joint Staff, July 1970-April 1972; Commander, 7th US Air Force, April 1972-March 1973; Deputy COMUSMACV, June 1972-March 1973.

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Weyand, General Fred C., USA. Deputy COMUSMACV, September 1970-29 June 1972; COMUSMACV 29 June 1972-29 March 1973.

Woodward, Major General G.H., USA. Chief of Staff, MACV, May 1972-January 1973; Chief, US Delegation to Four-Party Joint Military Commission in Vietnam, January-March 1973.

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Zumwalt, Admiral Elmo R., USN. Chief of Naval Operations, 1 July 1970-1 July 1974.